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No. 3] NEW DELHI, JANUARY 15— JANUARY 21, 2023, SATURDAY/ PAUSHA 25— MAGHA 1, 1944

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विदेश मंत्रालय

(सी. पी. बी प्रभाग)

नई दिल्ली, 10 जनवरी, 2023

का.आ. 45.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारत के प्रधान कौंसलावास, हैम्बर्ग में श्री राम बाबू मीना, सहायक अनुभाग अधिकारी, को 10 जनवरी, 2023 से सहायक कांसुलर अधिकारी के रूप में कांसुलर सेवाओं का निर्वहन करने के लिए अधिकृत करती है।

[फा. सं. टी. 4330/01/2023(03)]

एस.आर.एच. फहमी, निदेशक (कांसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(C. P. V DIVISION)

New Delhi, the 10th January, 2023

S.O. 45.—Statutory Order in pursuance of clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1048), the Central Government hereby appoints Shri Ram Babu Meena, Assistant Section Officer in the Consulate General of India, Hamburg, as Assistant Consular Officer to perform Consular services with effect from January 10, 2023.

[F. No. T. 4330/01/2023(03)]

S. R. H FAHMI, Director (Consular)

नई दिल्ली, 10 जनवरी, 2023

का.आ. 46.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारत के दूतावास, कुवैत में श्री अभिषेक उनियाल, सहायक अनुभाग अधिकारी, को 10 जनवरी, 2023 से सहायक कांसुलर अधिकारी के रूप में कांसुलर सेवाओं का निर्वहन करने के लिए अधिकृत करती है।

[फा. सं. टी. 4330/01/2023(04)]

एस. आर. एच. फहमी, निदेशक (कांसुलर)

New Delhi, the 10th January, 2023

S.O. 46.—Statutory Order in pursuance of clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1048), the Central Government hereby appoints Shri Abhishek Uniyal, Assistant Section Officer in the Embassy of India, Kuwait, as Assistant Consular Officer to perform Consular services with effect from January 10, 2023.

[F. No. T. 4330/01/2023(04)]

S. R. H FAHMI, Director (Consular)

नई दिल्ली, 13 जनवरी, 2023

का.आ. 47.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारत के प्रधान कौंसुलावास न्यूयॉर्क में श्री जीवन सिंह सिजवाली, सहायक अनुभाग अधिकारी, को 13 जनवरी, 2023 से सहायक कांसुलर अधिकारी के रूप में कांसुलर सेवाओं का निर्वहन करने के लिए अधिकृत करती है।

[फा. सं. टी. 4330/01/2023(05)]

एस.आर.एच. फहमी, निदेशक (कांसुलर)

New Delhi, the 13th January, 2023

S.O. 47.—Statutory Order in pursuance of clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1048), the Central Government hereby appoints Shri Jeewan Singh Sijwali, Assistant Section Officer in the Consulate General of India, New York, as Assistant Consular Officer to perform Consular services with effect from January 13, 2023.

[F. No. T. 4330/01/2023(05)]

S. R. H FAHMI, Director (Consular)

**रेल मंत्रालय
(रेलवे बोर्ड)**

नई दिल्ली, 10 जनवरी, 2023

का.आ. 48.—रेल मंत्रालय (रेलवे बोर्ड), राजभाषा नियम 1976 (संघ के शासकीय प्रयोजनों के लिए प्रयोग) के नियम 10 के उपनियम (2) और (4) के अनुसरण में निम्नलिखित कार्यालयों जहां 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करता है:-

1. डेडीकेटेड फ्रेट कॉरिडोर कॉर्पोरेशन ऑफ इंडिया लिमिटेड, कोलकाता यूनिट- 700064.
2. इरकॉन इण्टरनेशनल लिमिटेड, परियोजना कार्यालय, रांची।
3. रेलवे भर्ती बोर्ड, राँची- 834001.
4. 12वीं बाहिनी, रेलवे सुरक्षा विशेष बल, ठाकुली, मुंबई।
5. डेडीकेटेड फ्रेट कॉरिडोर कॉर्पोरेशन ऑफ इंडिया लिमिटेड, टूण्डला यूनिट, आगरा- 282002.

[फा. सं. हिंदी-2018/रा.भा.-1/12/1/(1342994)]

डॉ. बरुण कुमार, निदेशक, राजभाषा

**MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

New Delhi, the 10th January, 2023

S.O. 48.—Ministry of Railways (Railway Board) in pursuance of Sub Rule (2) and (4) of Rule 10 of the Official Language Rules, 1976 (use for the Official purposes of the Union) hereby, notify the following offices where 80% or more Officers/ Employees have acquired the working knowledge of Hindi:-

1. Dedicated Freight Corridor Corporation of India Ltd, Kolkata Unit- 700064.
2. Ircon International Ltd., Project Office, Ranchi .
3. Railway Recruitment Board, Ranchi- 834001.
4. 12th Battalion, Railway Protection Special Force, Thakurli, Mumbai.
5. Dedicated Freight Corridor Corporation of India Ltd, Tundla Unit, Agra- 282002.

[F. No. Hindi-2018/O.L-1/12/1/(1342994)]

Dr. BARUN KUMAR, Director(O.L.)

**सड़क परिवहन और राजमार्ग मंत्रालय
(हिंदी अनुभाग)**

नई दिल्ली, 16 जनवरी, 2023

का.आ. 49.—केंद्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उपनियम (4) के अनुसरण में क्षेत्रीय कार्यालय, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, गांधीनगर (गुजरात), क्षेत्रीय कार्यालय, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, हैदराबाद (तेलंगाना), और क्षेत्रीय कार्यालय, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, उत्तर प्रदेश (पूर्व)-वाराणसी, जिनके 80% से अधिक कर्मचारियों ने हिंदी कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[फा. सं. ई.-12012/1/2023-विविध/हिंदी]

कमलेश चतुर्वेदी, संयुक्त सचिव

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

(Hindi Section)

New Delhi, the 16th January, 2023

S.O. 49.—In pursuance of Sub Rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notify Regional Office, National Highway Authority of India, Gandhinagar(Gujarat), Regional Office, National Highway Authority of India, Hyderabad (Telangana) and Regional Office, National Highway Authority of India, Uttar Pradesh (East)-Varanasi where of more than 80% staff have acquired the working knowledge of Hindi.

[F. No. E. 12012/1/2023-Misc./Hindi]

KAMLESH CHATURVEDI, Jt. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 19 जनवरी, 2023

का.आ. 50.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अनुसूची में यथा उल्लिखित तारीखों की एवम का. आ. संख्या द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था।

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमियों में, सभी विल्लंगमों से मुक्त उपयोग का अधिकार हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित किया गया था।

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि पेट्रोलियम और खनिज- के परिवहन के लिए तमिलनाडु राज्य में हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड की विजयवाड़ा से धर्मापुरी पेट्रोलियम पाइपलाइन प्रोजेक्ट की पाइपलाइन बिछाई जा चुकी है, अतः उस भूमि के बारे में, जिसका संक्षिप्त विवरण इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट किया गया है, ऐसे प्रचालन को तमिलनाडु राज्य में समाप्त किया जाए।

अतः अब, केन्द्र सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम 1963, के नियम 4 के स्पष्टीकरण 1 के अधीन उन तारीखों को जिन पर यह अधिसूचन भारत के राजपत्र में प्रकाशित होती है, तमिलनाडु राज्य के कृष्णागिरी और धर्मपुरी जिलों के नीचे वर्णित गांवों में मार्गाधिकार गतिविधियों की समाप्ति की तारीख के रूप में घोषित करती है।

अनुसूची

जिला : कृष्णागिरी			राज्य : तमिलनाडु
क्रम सं.	का.आ. सं. एवं दिनांक	गाँव का नाम	तालुक का नाम
1	2	3	4
1	1644(अ) दिनांक 26.05.2020	वरत्तानापल्ली	बरगुर
2	4893(अ) दिनांक 25.11.2021	चिन्नामट्टारपल्ली	
3	3890(अ) दिनांक 18.08.2022	गुरुविनयनापल्ली	

जिला: धर्मपुरी			राज्य : तमिलनाडु
क्रम सं.	का.आ. सं. एवं दिनांक	गाँव का नाम	तालुक का नाम
1	2	3	4
1	1231(अ) दिनांक 15.03.2022	अदमनकोट्टु	नालमपल्ली

[फा. सं. आर-11025(15)/4/2018-ओआर-1/ई-25410]

पी. सोमाकुमार, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 19th January, 2023

S.O. 50.—Whereas, by the notifications of the Government of India in the Ministry of Petroleum and Natural Gas, S.O numbers and dated as mentioned in the Schedule below issued under Sub-section (i) of Section 6, Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government acquired the Right of User in the said lands specified in the Schedule appended to those notifications;

And whereas, in exercise of the powers conferred by the Sub-Section(4) of Section 6 of the said Act, the Central Government vested the Right of User in the lands free from all encumbrances in the Hindustan Petroleum Corporation Limited;

And whereas, the Competent Authority has made a report to the Central Government that the pipeline has been laid in the said lands and hence the operation may be terminated for Vijayawada to Dharmapuri petroleum product Pipeline Project in the state of Tamil Nadu in respect of the said land which in brief are specified in the Schedule annexed to this Notification;

Now, therefore, as required under explanation 1 of rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules 1963, the Central Government hereby declare the dates on which the notification is published in the Gazette of India as the date of “Termination of Operation” in ROU in the Villages mentioned in Krishnagiri and Dharmapuri districts in the state of Tamil Nadu.

SCHEDULE

District : Krishnagiri			State : Tamil Nadu
Sl. No.	S.o. No. & Date	Name of Village	Name of Taluk
1	2	3	4
1	1644(E) Dated 26.05.2020	Varattanapalli	Bargur
2	4893(E) Dated 25.11.2021	Chinnamattarapalli	
3	3890(E) Dated 18.08.2022	Guruvinyanapalli	
District : Dharmapuri			State : Tamil Nadu
Sl. No.	S.o. No. & Date	Name of Village	Name of Taluk
1	2	3	4
1	1231 (E) Dated 15.03.2022	Adamankottai	Nallampalli

[F. No. R.11025(15)/4/2018.OR.I/E.25410]

P. SOMA KUMAR, Under Secy.

नई दिल्ली, 19 जनवरी, 2023

का.आ. 51.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अनुसूची में यथा उल्लिखित तारीखों की एवम का. आ. संख्या द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था।

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमियों में, सभी विल्लंगमों से मुक्त उपयोग का अधिकार हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित किया गया था।

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि पेट्रोलियम और खनिज- के परिवहन के लिए आन्ध्र प्रदेश राज्य में हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड की विजयवाड़ा से धर्मापुरी पेट्रोलियम पाइपलाइन प्रोजेक्ट की पाइपलाइन बिछाई जा चुकी है, अतः उस भूमि के बारे में, जिसका संक्षिप्त विवरण इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट किया गया है, ऐसे प्रचालन को आन्ध्र प्रदेश राज्य में समाप्त किया जाए।

अतः अब, केन्द्र सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम 1963, के नियम 4 के स्पष्टीकरण 1 के अधीन उन तारीखों को जिन पर यह अधिसूचना भारत के राजपत्र में प्रकाशित होती है, आंध्र प्रदेश राज्य के कृष्णा (वर्तमान नाम एनटीआर), गुंटूर (वर्तमान नाम पलनाडु), प्रकाशम, वैएसआर, अन्नमय्या

(नया जीला जो वैएसअर और चित्तूर के कुछ हीस्सो से बना है), तथा चित्तूर जिले के नीचे वर्णित गांवों में मार्गाधिकार गतिविधियों की समाप्ति की तारीख के रूप में घोषित करती है।

अनुसूची

जिला : कृष्ण (वर्तमान नाम एनटीआर)			राज्य : आन्ध्र प्रदेश
क्रम सं.	का.आ. सं. एवं दिनांक	गाँव का नाम	मंडल का नाम
1	2	3	4
1	5732(अ) दिनांक 08.11.2018	कवलूरु	जि. कोंडूरु
2	945(अ) दिनांक 27.02.2020	गड्डमनगु	
3	3292(अ) दिनांक 18.09.2020	चरवु माधवरम	
4	4533(अ) दिनांक 08.12.2020	मूनगपाडु	
5	2093(अ) दिनांक 25.05.2021	सुन्नपाडु	
6		तल्लदेवरपाडु	
7		दुगिरालपाडु	
8		तिम्मापुरम	विरुल्लपाडु
9		गूडम माधवरम	
10		अल्लूरु	
11		जुज्जूरु	
12		लक्ष्मीपुरम	
13		जम्मावरम	
14		गोकराजुपल्ली	कंचिकचेरल
15		पोन्नवरम	
16		पेरकलपाडु	
17		गंडेपल्ली	
18		कंचिकचेरल	
19		किसर	
20		सईदापुरम	चंदरलपाडु
21		पेन्डयाल	
22		वेमुलपल्ली	
23		तोटरावुलपाडु	
24		तुरलपाडु	
25		पार्टपाडु	
26		चंदरलपाडु	
27		कोडवटिकल्लु	
जिला : गुंटूरु (वर्तमान नाम पलनाड)			राज्य : आन्ध्र प्रदेश
क्रम सं.	का.आ. सं. एवं दिनांक	गाँव का नाम	मंडल का नाम
1	2	3	4
1	5729(अ) दिनांक 08.11.2018	अम्बडीपुडी	अच्चमपेट
2	3131(अ) दिनांक 23.08.2019	ओर्वकल्लु	
3	233(अ) दिनांक 10.01.2020	चीगुरुपाडु	
4	1130(अ) दिनांक 12.03.2020	वेलपूरु	
5	2809(अ) दिनांक 11.08.2020	अनंथवरम	क्रोसूरु
6	1038(अ) दिनांक 26.02.2021	वुय्यंदना	
7		गरिकेपाडु	
8		गुडिपाडु	
9		राजुपालेम	राजुपालेम
10		गणपवरम	
11		बलिजेपल्ली	
12		उप्पलपाडु	
13		चल्लगुडल	नेकरिकल्लु
14		विप्परल	रोम्पिचेरल
15		कुंकलगुंट	नेकरिकल्लु

16		मुष्पाल्ल	
17		चित्तापुरम	
18		कौंडायपालम	इपुरु
19		गुंडेपल्ले	
20		कोत्तलूरु	श्यावल्यापुरम
21		कोच्चेरल	
22		कौंडमुटला	इपुरु
23		नरगायपालेम	
24		ब्राम्हणपल्ली	
25		वेंकुपालेम	
26		विनुकौंड	विनुकौंड
27		तिम्मयपालेम	
28		दौंडपाडु	
29		शिवापुरम	
30		पेद्वरम	
31		एोनवोलु	
32		चित्तलचेरुवु	नूजेन्डल
33		मूर्तिजापुरम	

जिला : प्रकाशम		राज्य : आन्ध्र प्रदेश	
क्रम सं.	का.आ. सं. एवं दिनांक	गाँव का नाम	मंडल का नाम
1	2	3	4
1	3597(अ) दिनांक 12.07.2018	वेस्ट वीरयपालेम	
2	2573(अ) दिनांक 11.07.2019	कुरिचेडु	
3	4532(अ) दिनांक 08.12.2020	पेरुभटल पालेम	कुरिचेडु
4		पोटलपाडु	
5		गंगा दोनकौंड	
6		यर्बालेम	
7		वीर वेंकटापुरम	
8		बडापुरम	
9		रागमक्कपल्ले	दोनकौंडा
10		भूमनपल्ली	
11		मंगिनपूडी	
12		गज्जलकौंडा	मार्कापुरम
13		अनंतवरम	दोनकौंडा
14		पेदद् याचवरम	
15		रायवरम	मार्कापुरम
16		गोगुलदिन्ने	
17		केतगुडीपी	
18		सूरिपल्ले	
19		तर्लुपाडू	तर्लुपाडू
20		चेन्नारैडिपल्ले	
21		कारुमनिपल्ले	
22		मीरजापेटा	
23		बौंदलपाडू	मार्कापुरम
24		लक्ष्मीकोटा	
25		औरंगबाद	कम्बम
26		राविपाडु	
27		सलकलवीडु	
28		नेकुनाबाद	
29		पूसलपाडु	बेस्तवारिपेट
30		ओदुटला	
31		मोक्षगुंडम	
32		ताटिचेर्ल	
33		दड्डुवाड	कोमरोलू

34		नल्लगुन्दल	
35		इडमकल्लू	
36		पुल्लारेड्डीपल्ले	
37		कोमरोलू	
38		रेड्डीचेर्ल	
39		अल्लिनगरम	
जिला : वैएसअर		राज्य : आन्ध्र प्रदेश	
क्रम सं.	का.आ. सं. एवं दिनांक	गाँव का नाम	मंडल का नाम
1	2	3	4
1	5730(अ) दिनांक 08.11.2018	संचराला	पोरुमामिल्ला
2	3887(अ) दिनांक 21.10.2019	अक्कलरेड्डीपल्ले	
3	1039(अ) दिनांक 26.02.2021	लच्चमपल्ले	
4	5731(अ) दिनांक 08.11.2018	शिद्धनकिच्चायपल्ले	
5	3888(अ) दिनांक 21.10.2019	कोरुपाटुपल्ले	
6	1040(अ) दिनांक 26.02.2021	शंकवरम	कलसपाडु
7	835(अ) दिनांक 08.02.2019	दम्भनपल्ले	पोरुमामिल्ला
8		पोरुमामिल्ला	
9		चेन्नवरम	श्री अवधूत काशिनायन
10		रंगसमुद्रम	पोरुमामिल्ला
11		कोडिगुड्लपाडु	श्री अवधूत काशिनायना
12		साविशेट्टिपल्ले	
13		वंकमररी	
14		इटिगुल्लपाडु	
15		मल्लेपल्ले	ब्रह्मंगारिमठम्
16		पापिरेड्डीपल्ले	
17		कोत्ताकोटा दासरपल्ली रिजर्व्ड फारेस्ट	ब्रह्मंगारिमठम्/एस. मैदुकूरु
18		मुदिरेड्डीपल्ले	एस. मैदुकूरु
19		तिप्पीरेड्डीपल्ले	
20		अदिरेड्डीपल्ले	
21		ओनिपेटा	
22		मिड्डमानिपल्ली	
23		शेड्डीवारिपल्ले	एस. मैदुकूरु
24		अन्नलूर	
25		सोमयाजुल पल्ले	खाजीपेट
26		पत्तूरु	
27		पुल्लूरु	
28		रावुलपल्ले	
29		दुपलगडू	
30		चेमुल्लापल्ले	चेन्नूर
31		चेन्नमुक्कपल्ले	
32		दौलतापुरम	
33		बायनपल्ले	
34		कनुपति	
35		गुर्रमपाडु	कडपा
36		नजीरबेगपल्ले	
37		पातकडपा	शिद्धोट
38		चिन्नाचौकु	
39		कडपायपल्ले	
40		टक्कोलु	
41		माचुपल्ले	
42		वंताटिपल्ले	
43		मूलपल्ले	
44		गुड्लमूला	
45		शिद्धोट	

46		नेकनापुरम	
47		पेदपल्ले	
48		मन्दपल्ले	
49		पालकोंडा वंगीमला रिजर्व फोरेस्ट	
50		कनुमला पल्ले	
51		पुटलम पल्ले	कडपा
52		मामिल्लपल्ले	
53		बुगलपल्ले	
54		रुद्रय्यगारीपल्ले	
55		इप्पपेंट	
56		चिन्नकामपल्ले	चिंतकौम्मदिन्ने
57		पेदकामपल्ले	
58		कोलुमुलपल्ले	
59		इन्दुपुलाया एक्सटेंशन रिजर्व फोरेस्ट	
60	5730(अ) दिनांक 08.11.2018	गुवल चेरुवु	
61	3887(अ) दिनांक 21.10.2019	गोपगुडिपल्ले	
62	1039(अ) दिनांक 26.02.2021	नीलकंठरावपेट	रामापुरम
63	5731(अ) दिनांक 08.11.2018	कल्पनायुनि चेरुवु	
64	3888(अ) दिनांक 21.10.2019	सुदमल्ल	
65	1040(अ) दिनांक 26.02.2021	अनन्तपुरम	लक्कीरेड्डीपल्ले
66	835(अ) दिनांक 08.02.2019	चितलूर	
67		बन्डलपल्ले	रामापुरम
68		मासपेट	
69		रायचोटी	रायचोटी
70		नारायनरेड्डीपल्ले	
71		मोटकटल	
72		सम्बेपल्ले	सम्बेपल्ले
73		रौतुकुंटा	
74		देवपटल	

जिला : चित्तूर (वर्तमान नाम अन्नमय्या)

राज्य : आन्ध्र प्रदेश

क्रम सं.	का.आ. सं. एवं दिनांक	गाँव का नाम	मंडल का नाम
1	2	3	4
1	5728(अ) दिनांक 08.11.2018	कोना	
2	173(अ) दिनांक 08.01.2019	देवलपल्ले	
3	1707(अ) दिनांक 28.05.2020	रतिगुंटपल्ले	कलकड
4	3886(अ) दिनांक 21.10.2019	एरर्कोटपल्ले	
5	1708(अ) दिनांक 28.05.2020	नवबपेटा	
6	2092(अ) दिनांक 25.05.2021	मुडियमवारिपल्ले	
7		नगारिमडुगु	
8		अय्यावारिपल्ले	
9		चिंतपति	
10		जमलपल्ले	वायलपाडु
11		चितलवारिपल्ले	
12		अर्मडक	
13		निम्नपल्ले	
14		मस्तुर	
15		रेड्डीवारीपल्ले	निम्नपल्ले
16		बंडलपै	
17	5728(अ) दिनांक 08.11.2018	बायकोंडा रिजर्व फोरेस्ट	पुंगनुर
18	173(अ) दिनांक 08.01.2019	दीगुवापल्ली	
19	1707(अ) दिनांक 28.05.2020	कागती	चैडेपल्ली
20		काटिपेरी	

21	3886(अ) दिनांक 21.10.2019	चदल्ला	पुंगनुर
22	1708(अ) दिनांक 28.05.2020	ऐतुर	
23	2092(अ) दिनांक 25.05.2021	पुंगनुर	
24		कुमरनातम	
25		बट्टमदोडी	पेदपंजानी
26		करसनपल्ले	
27		पेद्वेलगटुर	
28		गुंडुगल्लु	गंगावरम
29		पसुपत्तुर	
30		गंड्राजुपल्ले	
31		गोल्लचेमन पल्ले	बैरेडुपल्ले
32		लक्कनपल्ले	
33		देवादोडी	
34		तीर्थम	
35		कैगल्लु	
36		तोटा कनुम	वि.कोटा
37		कष्णापुरम	
38		बोडीगुट्टपल्ले	
39		कुंबार्लपल्ले	
40		वि.कोटा	
41		पापेपल्ले	
42		गुडीपल्ले	
43		पेदबैरनपल्ले	
44		पम्मगानीपल्ले	
45		कैपासमुद्रम	रामकुप्पम
46		बंदारलपल्ले	
47		रामकुप्पम	
48		अत्तीकुप्पम	
49		मर्नीद्रम	
50		किलाकपोडु	शांतिपुरम
51		अम्मवारिपेटा	
52		वेटगीरीकोत्तुरु	
53		कोलमडुगु	
54		रेडलापल्ले	
55		गोल्लापल्लेदिन्ने	कुप्पम
56		कनगुंदी आर एफ	
57		जीडीमानीपल्ले	शांतिपुरम
58		चील्लामानीपल्ले	
59		डोंकुमानीपल्ले	
60		वेदुगुट्टपल्ले	
61		बि मडगु गोल्लापल्ले	
62		काडपल्ले	
63		सोन्नेगानीपल्ले	
64		डुन्डीकप्पम	गुडीपल्ले
65		बेग्गीलापल्ले	
66		गोकरलपल्ले	
67		सीगलपल्ले	कुप्पम
68		बंडशेटीपल्ले बिट-1	
69		एलज्जनूरु	
70		सामगुट्टपल्ले	
71		गुट्टपल्ले	
72		कामतमूरु	
73		एकरलपल्ले	
74		पेद बंगारुनाथम	
75		मूलकलपल्ले	

76		बोडगुडपल्ले	
77		वसनाडूगोल्लपल्ले	
78		नडीमूर	

[फा. सं. आर-11025(15)/6/2017-ओआर-1/ई-18464]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 51.—Whereas, by the notifications of the Government of India in the Ministry of Petroleum and Natural Gas, S.O numbers and dated as mentioned in the Schedule below issued under Sub-section (i) of Section 6, Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government acquired the Right of User in the said lands specified in the Schedule appended to those notifications;

And whereas, in exercise of the powers conferred by the Sub-Section(4) of Section 6 of the said Act, the Central Government vested the Right of User in the lands free from all encumbrances in the Hindustan Petroleum Corporation Limited;

And whereas, the Competent Authority has made a report to the Central Government that the pipeline has been laid in the said lands and hence the operation may be terminated for Vijayawada to Dharmapuri petroleum product Pipeline Project in the state of Andhra Pradesh in respect of the said land which in brief are specified in the Schedule annexed to this Notification;

“Now, therefore, as required under explanation 1 of rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules 1963, the Central Government hereby declare the dates on which the notification is published in the Gazette of India as the date of “Termination of Operation” in ROU in the Village mentioned in Krishna (Present Name NTR), Guntur (Present Name Palnadu), Prakasam, YSR, Annamayya (New district which is formed from parts of YSR & Chittoor) and Chittoor district in the state of Andhra Pradesh”

SCHEDULE

District : Krishna (Present Name NTR) Pradesh			State : Andhra
Sl. No.	S.O. No. & Date	Name of Village	Name of Mandal
1	2	3	4
1	5732(E) Dated 08.11.2018	Kavuluru	G.Konduru
2	945(E) Dated 27.02.2020	Gaddamanugu	
3		Cheruvu Madhavaram	
4	3292(E) Dated 18.09.2020	Munagapadu	
5	4533(E) Dated 08.12.2020	Sunnampadu	
6		Talladevarapadu	
7	2093(E) Dated 25.05.2021	Duggiralapadu	
8		Timmapuram	Virullapadu
9		Gudem Madhavaram	
10		Alluru	
11		Jujjuru	
12		Lakshmipuram	
13		Jammavaram	Virullapadu
14		Gokarajupalli	
15		Ponnaram	Kanchikacharla
16		Perakalapadu	
17		Gandepalli	
18		Kanchikacharla	
19		Kisara	
20		Saidapuram	
21		Pendyala	
22		Vemulapalli	Chandarlapadu
23		Totaravulapadu	
24		Turlapadu	
25		Patempadu	

26		Chandarlapadu	
27		Kodavatikallu	
District : Gunturu (Present Name Palnadu)		State : Andhra Pradesh	
Sl. No.	S.O. No. & Date	Name of Village	Name of Mandal
1	2	3	4
1	5729(E) Dated 08.11.2018	Ambatipudi	Achampet
2	3131(E) Dated 23.08.2019	Orvakallu	
3		Chigurupadu	
4		Velpuru	
5	1130(E) Dated 12.03.2020	Anantavaram	Krosuru
6	2809(E) Dated 11.08.2020	Uyyandana	
7		Garikepadu	
8		Gudipadu	
9	1038(E) Dated 26.02.2021	Rajupalem	Rajupalem
10	Ganapavaram		
11	BaliJaepalli		
12	Uppalapadu		
13		Challagundla	Nekarikallu
14		Vipparala	Rompicherlla
15		Kunkalagunta	Nekarikallu
16		Muppala	Ipuru
17		Chittapuram	
18		Kondayapalem	
19		Gundepalle	
20		Kottaluru	Shyavalyapuram
21		Kochcherla	Ipuru
22		Kondramutla	
23		Naragayallem	Vinukonda
24		Brahamanapalli	
25		Venkupalem	
26		Vinukonda	
27		Thimmayapalem	
28		Dondapadu	
29		Shivapuram	
30		Peddavaram	Nuzendla
31		Ainavolu	
32		Chintala Cheruvu	
33		Murtajapuram	
District : Prakasam		State : Andhra Pradesh	
Sl. No.	S.O. No. & Date	Name of Village	Name of Mandal
1	2	3	4
1	3597(E) Dated 12.07.2018	West Virayapalem	Kurichedu
2	2573(E) Dated 11.07.2019	Kurichedu	
3		Perubhatlapalem	
4		Potlapadu	
5	4532(E) Dated 08.12.2020	Ganga Donnakonda	Donnakonda
6	Errabalem		
7	Veera Venkatapuram		
8	Badapuram		
9	Ragamakkapalle		
10	Bhumanapalli		
11	Manginapudi		
12		Gajjalakonda	Marakapuram
13		Ananthavaram	Donnakonda
14		Peddayachavaram	Marakapuram
15		Rayavaram	Marakapuram
16		Gogula Dinne	
17		Ketagudipi	Tarlupadu
18		Surepalle	

19		Tarlupadu	
20		Chennareddipalle	
21		Karumanipalle	
22		Mirzapeta	
23		Bondalapadu	Marakapuram
24		Lakshmikota	
25		Aurangabad	Cumbum
26		Ravipadu	
27		Salakalavidu	
28		Nekunabad	
29		Pusalapadu	Bestavaripeta
30		Ondutla	
31		Mokshagundam	
32		Taticherla	
33		Daddavada	
34		Nallaguntla	
35		Idmakallu	
36		Pullareddipalle	Komarol
37		Komarol	
38		Reddicherla	
39		Allinagaram	
District: YSR		State : Andhra Pradesh	
Sl. No	S-O- No- & Date	Name of Village	Name of Mandal
1	2	3	4
1	5730(E) Dated 08.11.2018	Sancharala	
2	3887(E) Dated 21.10.2019	Akkalreddipalle	Porumamilla
3	1039(E) Dated 26.02.2021	Lachampalle	
4	5731(E) Dated 08.11.2018	Siddanakitchayapalle	
5	3888(E) Dated 21.10.2019	Korrapatupalle	
6	1040(E) Dated 26.02.2021	Sankavaram	Kalasapadu
7	835(E) Dated 08.02.2019	Dammanapalle	Porumamilla
8		Porumamilla	Porumamilla
9		Channavaram	Sri Avadhutha Kasinayana
10		Ranga Samudram	Porumamilla
11		Kodigudlapadu	
12		Savisettipalle	Sri Avadhutha Kasinayana
13		Vankamarri	
14		Itigullapadu	
15		Mallepalle	Brahmamgarimattam
16		Papireddipalle	
17		Kottakota Dasarapalli Reserve Forest	Brahmamgarimattam – S.Mydukur
18		Mudireddipalle	
19		Thippireddipalle	
20		Audireddipalle	
21		Onipenta	S.Mydukur
22		Mittamanipalle	
23		Settivaripalle	
24		Annalur	
25		Somayajulapalle	
26		Pathur	
27		Pullur	Khajipet
28		Ravulapalle	
29		Dumpalagattu	
30		Chemullapalle	

31		Chennamukkapalle	
32		Doulathapuram	
33		Bayanapalle	
34		Kanuparthi	
35		Gurrampadu	
36		Nazeerbegpalle	
37		Pata Kadapa	
38		Chinnachouku	
39		Kadapayapalle	
40		Tokkolu	
41		Machupalle	
42		Vanthatipalle	
43		Mulapalle	
44		Gundlamoola	
45		Sidhout	
46		Nekanapuram	
47		Peddapalle	
48		Mandapalle	
49		Palakonda Vangimala Reserve Forest	
50		Kanumalapalle	
51		Puttlampalle	
52		Mamillapalle	
53		Boggalapalle	
54		Rudrayagaripalle	
55		Ippapenta	
56		Chinnakampalle	
57		Peddakampalle	
58		Kolumulapalle	
59		Indupulya extension reserve forest	
District: YSR (Present Name Annamayya)		State : Andhra Pradesh	
Sl. No	S-O- No- & Date	Name of Village	Name of Mandal
1	2	3	4
60	5730(E) Dated 08.11.2018	Guvvalacheruvu	
61	3887(E) Dated 21.10.2019	Gopagudipalle	
62	1039(E) Dated 26.02.2021	Neelakantharaopeta	
63	5731(E) Dated 08.11.2018	Kalpanayunicheruvu	
64	3888(E) Dated 21.10.2019	Suddamalla	
65	1040(E) Dated 26.02.2021	Ananthapuram	
66	835(E) Dated 08.02.2019	Chitlur	
67		Bandlapalle	
68		Masapet	
69		Rayachoti	
70		Narayanareddipalle	
71		Motakatla	
72		Sambepalle	
73		Routhukunta	
74		Devapatla	
District :Chittoor (Present Name Annamayya)		State : Andhra Pradesh	
Sl. No	S-O- No- & Date	Name of Village	Name of Mandal
1	2	3	4
1	5728(E) Dated 08.11.2018	Kona	
2	173(E) Dated 08.01.2019	Devalapalle	
3	1707(E) Dated 28.05.2020	Ratiguntapalle	
4	3886(E) Dated 21.10.2019	Errakotapalle	
5	1708(E) Dated 28.05.2020	Nawabpet	
6	2092(E) Dated 25.05.2021	Mudiamvaripalle	
7		Nagarimadugu	
8		Ayyavaripalle	
9		Chintaparthi	
10		Jammallapalle	

11		Chinthavaripalle	
12		Aramadaka	
13		Nimmanapalle	
14		Mastur	
15		Reddivaripalle	Nimmanapalle
16		Bandlapai	
17	5728(E) Dated 08.11.2018	Boyakonda Reserve Forest	Punganur
18	173(E) Dated 08.01.2019	Diguvapalle	
19		Kogathi	Chowdepalle
20	1707(E) Dated 28.05.2020	Katiperi	
21	3886(E) Dated 21.10.2019	Chadalla	
22		Ethur	
23	1708(E) Dated 28.05.2020	Punganur	Punganur
24	2092(E) Dated 25.05.2021	Kummaranatham	
25		Battamdoddi	
26		Karasanapalle	Peddapanjani
27		Peddavelagatur	
28		Gundugallu	
29		Pasupathur	Gangavaram
30		Gandrajupalle	
31		Gollachemana Palle	
32		Lakkanapalle	
33		Devadoddi	Baireddipalle
34		Theertham	
35		Kaigallu	
36		Thota Kanuma	
37		Krishnapuram	
38		Bodiguttapalle	
39		Kumbarlapalle	
40		V.Kota	V.Kota
41		Papepalle	
42		Gudipalle	
43		Pedda Bharanipalle	
44		Pamuganipalle	
45		Kempasamudram	
46		Bandarlapalle	
47		Ramakuppam	Ramakuppam
48		Attikuppam	
49		Manendram	
50		Kilakupodu	
51		Ammavaripeta	
52		Vetagirikothur	
53		Kolamadugu	Shanthipuram
54		Redlapalle	
55		Gollapalledinne	
56		Kangundi R.F	Kuppam
57		Jeedimanipalle	
58		Chillamanipalle	
59		Donkumanipalle	
60		Veduruguttapalle	Shanthipuram
61		B Madugu Gollapalle	
62		Kadapalle	
63		Sonneganipalle	
64		Dandikuppam	
65		Beggilipalle	Gudupalle
66		Gokaralapalle	
67		Seegalapalle	
68		Bandasettipalle 1 st Bit	Kuppam
69		Ellajjanuru	

70		Samaguttapalle	
71		Guttapalle	
72		Kamathamur	
73		Ekarlapalle	
74		Pedda Bangarunatham	
75		Mulakalapalle	
76		Bodaguttapalle	
77		Vasanadugolla Palle	
78		Nadimur	

[F. No. R.11025(15)/6/2017.OR.I/E.18464]

P. SOMA KUMAR, Under Secy.

श्रम और रोजगार मंत्रालय

नई दिल्ली, 12 जनवरी, 2023

का.आ. 52.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार प्रबंध निदेशक, दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, बाराखम्भा रोड, नई दिल्ली; डिंपल (मालिक), एन.सी.ई.एस., सिकंदरपुर, गुडगांव, के प्रबंधतंत्र के संबद्ध नियोजकों और श्रीमती पूजा शर्मा, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 307/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-17-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 12th January, 2023

S.O. 52.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 307/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Managing Director, Delhi Metro Rail Corporation Ltd., Barakhamba Road, New Delhi; Dimple (Proprietor), N.C.E.S., Sikanderpur, Gurgaon and Smt. Pooja Sharma, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-17-IR (DU)]

DK HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.**

Present: Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 307/2021**Date of Passing Award- 01.12.2022**

Between:

Smt. Pooja Sharma, W/o Sh. Lalan Sharma,
R/o-177, Shastri Mohalla, Patparganj,
Delhi-110091.

...Claimant

VERSUS

- The Managing Director,
Delhi Metro Rail Corporation Ltd.
Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi-110001.
- Sh. Dimple (Proprietor), N.C.E.S.,**

R/o 16-17-18, Shiv Narain Complex,
Sikanderpur, Gurgaon-122002

... Managements

Appearances:-

Shri S B Shaily

... For the claimant

(A/R)

Shri Akhilesh

... For the Management No.1

Shri Praveen Singh

... For the Management No.2.

(A/R)

AWARD

This is an application filed u/s 2A of the Id Act by the claimant who has alleged illegal termination by the management No.1 and 2. Notice of the claim being served both the managements appeared and filed their written statement. Management No.2 stated that for some allegation made against the claimant by management No.1 it had no other option than terminating her service.

Before commencement of the hearing steps were taken for conciliation of the dispute. After several rounds of discussion the matter was taken up during the National Lok Adalat held on 12.11.2022. Before that on 22.08.2022 both the managements during course of conciliation in presence of the claimant and her A/R agreed to re-employ the claimant. On 7th November 2022 both the managements and the claimant being present informed that they have already re-employed the claimant Pooja Sharma at Metro Station Faridabad and she is discharging her duty since 05th November 2022. The claimant and her A/R intimated that they are satisfied with the decision and not advancing any claim for the back wages for the intervening period. Considering the progress made in the conciliation and the satisfaction expressed by the claimant this award is passed. Hence, ordered.

ORDER

The claim be and the same is disposed of on conciliation, as the claimant has not advanced any further claim against the managements. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PARANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 53.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार सीआरटीजी/डीएमआरसी बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबंध नियोजकों और श्री राम, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 209/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/51/2021-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 53.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 209/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ;J, Kumar CRTG/DMRC Barakhamba Lane New Delhi, and Shri Ram ,Through The General Secretary, Karmsheel Mazdoor Sangarsh union, Mubarakpur, New

Delhi Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/51/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No. 209/2021

Sh. Ram S/o Shri Pardeshi,
Through , The General Secretary,
Karmsheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086.

... Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project , CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.
2. J. Kumar CRTG /DMRC,
Barakhamba Lane New Delhi-110001

... Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/51/2021- IR(DU) dated 16.08.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmsheel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Ram S/o Shri S/o Shri Pardeshi) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 54.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अध्यक्ष, दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, बाराखंभा रोड, नई दिल्ली; कूप्स इंटरनेशनल हार्ड-टेक. सुरक्षा, डीएमआरसी मेट्रो भवन, बाराखंभा रोड, नई दिल्ली के ठेकेदार; सीसीईसीसी-केईसी जेबी डीसी-01, दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री राजू, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक

अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 49/2022) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-16-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 54.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 49/2022) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chairmen, Delhi Metro Rail Corporation Ltd., Barakhamba Road, New Delhi ;Couops International Hi-Tech. Security, Contractor of DMRC Metro Bhawan, Barakhamba Road, New Delhi ; CCECC-KEC JV DC-01, Delhi, and Shri Raju, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-16-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present:

Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 47/2022

Date of Passing Award- 01.12.2022

Between:

Sh. Ram Prakash, S/o Sh. Ramveer Singh Yadav,
R/o- KH. No-1074, Plot No-31, Village -Bhalswa,
N.S. Mandi, Delhi-110033.

...Claimant

VERSUS

1. The Chairmen,
Delhi Metro Rail Corporation Ltd.
Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi-110001.
2. **Couops International Hi-Tech. Security,**
Contractor of DMRC Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi-110001
3. **CCECC-KEC JV DC-01,**
Office:-Mundka, Near Rani Khera Road,
Delhi-110081.

...Managements

Appearances:-

Shri Arvind Kumar
(A/R)
Shri Gulab Chandra Jha
None for the management No.2
Shri Shivam Tripathy
(A/R)

For the claimant

For the Management No.1
For the Management No.2.
For the Management No.3.

AWARD

This is an application u/s 2A filed by the claimant alleging illegal termination by management No.1. As per the narrative in the claim petition the claimant was appointed as a Security Guard on 22.01.2020 in the premises of management No.1 through the contractor of the said management who are the management No.2 and 3 of this proceeding. His last drawn wage was 12000/- per month. Though the claimant was discharging his duty diligently the management No.1, 2 and 3 were not extending the benefits at par with the regular employees describing him as a contractual worker. The management was not following the procedure laid down under the Contract Labour Regulation and Abolition Act 1970. For the objection raised by the claimant for his legitimate dues the managements in vindication terminated his service w.e.f 14.06.2021 and did not release his earned wage for the month of March, April, May, June 2021 and even did not pay his bonus and overtime dues. At the time of termination the provisions of section 25F Id Act was not followed. Hence, he had prayed for reinstatement and payment of back wages alongwith all consequential benefits.

Notice being served all the managements appeared and management No.1 and 2 filed their WS denying the claim of the claimant.

Before commencement of the hearing steps were taken for conciliation of the dispute. After several rounds of conciliation the management agreed to pay the dues demanded by the claimant. During the Lok Adalat held on 12.11.2022 the claimant gave a statement to the effect that the management has paid 61500/- through demand draft No. 003609 dated 07/10/2022 and he has no more claim against the management. The statement of the claimant was recorded separately and attached to the proceeding. In view of the statement given by the claimant this no claim award is passed. Hence, ordered.

ORDER

The application be and the same is disposed of as the claimant has no claim and grievance against the managements with regard to the alleged illegal termination of his service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 55.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार सीआरटीजी/डीएमआरसी बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री अफसर खान, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 131/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/43/2021-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 55.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 131/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ; J, Kumar CRTG/DMRC Barakhamba Lane New Delhi, and Shri Afsar Khan, Through, The General Secretary, Karmsheel Mazdoor Sangarsh union, Mubarakpur, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/43/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—CUM- LABOUR COURT-II, NEW DELHI**

Present: Smt. PRANITA MOHANTY

ID. No.131/2021

Sh. Afsar Khan S/o Sh. Ayub Khan.

Through , The General Secretary,
Karmsheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086.

....Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project , CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.

2. J. Kumar CRTG /DMRC,
Barakhamba Lane New Delhi-110001

....Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/43/2021- IR(DU) dated 30.07.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmsheel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Sh. Afsar Khan S/o Sh. Ayub Khan) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 56.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अध्यक्ष, दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, बाराखंभा रोड, नई दिल्ली; कूप्स इंटरनेशनल हार्ड-टेक सुरक्षा, डीएमआरसी मेट्रो भवन, बाराखंभा रोड, नई दिल्ली के ठेकेदार; सीसीईसीसी-केईसी जेवी डीसी-01, दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री राम प्रकाश, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 47/2022) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-15-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 56.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 47/2022) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chairmen, Delhi Metro Rail Corporation Ltd., Barakhamba Road, New Delhi ;Couops International Hi-Tech. Security,Contractor of DMRC Metro Bhawan, Barakhamba Road, New Delhi ; CCECC-KEC JV DC-01, Delhi, and Shri Ram Prakash, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-15-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 47/2022

Date of Passing Award- 01.12.2022

Between:

Sh. Ram Prakash, S/o Sh. Ramveer Singh Yadav,
R/o- KH. No-1074, Plot No-31, Village -Bhalswa,
N.S. Mandi, Delhi-110033

.... Claimant

VERSUS

1. The Chairmen,
Delhi Metro Rail Corporation Ltd.
Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi-110001.
2. **Couops International Hi-Tech. Security,**
Contractor of DMRC Metro Bhawan, Fire Brigade Lane,
Barakhamba Road, New Delhi-110001
3. **CCECC-KEC JV DC-01,**
Office:-Mundka, Near Rani Khara Road,
Delhi-110081.

... Managements

Appearances:-

Shri Arvind Kumar	For the claimant
(A/R)	
Shri Gulab Chandra Jha	For the Management No.1
None for the management No.2	For the Management No.2.
Shri Shivam Tripathy	For the Management No.3.
(A/R)	

AWARD

This is an application u/s 2A filed by the claimant alleging illegal termination by management No.1. As per the narrative in the claim petition the claimant was appointed as a Security Guard on 22.01.2020 in the premises of management No.1 through the contractor of the said management who are the management No.2 and 3 of this proceeding. His last drawn wage was 12000/- per month. Though the claimant was discharging his duty diligently the management No.1,2 and 3 were not extending the benefits at par with the regular employees describing him as a contractual worker. The management was not following the procedure laid down under the Contract Labour Regulation and Abolition Act 1970. For the objection raised by the claimant for his legitimate dues the managements in vindication terminated his service w.e.f 14.06.2021 and did not release his earned

wage for the month of March, April, May, June 2021 and even did not pay his bonus and overtime dues. At the time of termination the provisions of section 25F Id Act was not followed. Hence, he had prayed for reinstatement and payment of back wages alongwith all consequential benefits.

Notice being served all the managements appeared and management No.1 and 2 filed their WS denying the claim of the claimant.

Before commencement of the hearing steps were taken for conciliation of the dispute. After several rounds of conciliation the management agreed to pay the dues demanded by the claimant. During the Lok Adalat held on 12.11.2022 the claimant gave a statement to the effect that the management has paid 61500/- through demand draft No. 003609 dated 07/10/2022 and he has no more claim against the management. The statement of the claimant was recorded separately and attached to the proceeding. In view of the statement given by the claimant this no claim award is passed. Hence, ordered.

ORDER

The application be and the same is disposed of as the claimant has no claim and grievance against the managements with regard to the alleged illegal termination of his service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANATY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 57.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड नई दिल्ली; जे. कुमार सीआरटीजी/डीएमआरसी, बाराखंबा लेन, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री वीरेंद्र सिंह, द्वारा, महासचिव, कर्मशील मजदूर संघर्ष यूनियन, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली पंचाट (संदर्भ सं. 142/2021) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/48/2021- आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 57.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 142/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd. New Delhi ;J. Kumar CRTG /DMRC, Barakhamba Lane, New Delhi and Shri Virender Singh, Through , The General Secretary, Karmasheel Mazdoor Sangarsh union, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/48/2021- IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No.142/2021

Sh. Virender Singh, S/o Sh. Vanvari Lal,
Through , The General Secretary,
Karmasheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086

....Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project , CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.
2. J. Kumar CRTG /DMRC,
Barakhamba Lane New Delhi-110001.

....Managements

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/48/2021- IR(DU) dated 05/08/2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmasheel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Virender Singh, S/o Sh. Vanvari Lal) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 58.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रजिस्ट्रार, दिल्ली विश्वविद्यालय, दिल्ली; जय बालाजी सुरक्षा सेवाएं, करमपुरा, दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री कुलदीप एवं 166 अन्य, द्वारा अखिल भारतीय जनरल कामगार यूनियन, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं.183/2020) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/107/2020-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 58.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 183/2020) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Registrar, University of Delhi, Delhi ;Jai Balaji Security Services, Karampura, Delhi, and Shri Kuldeep & 166 Others, Through, All India General Kamgar Union, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/107/2020 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID.NO. 183/2020

Shri Kuldeep & 166 Others,
Through, All India General Kamgar Union.
U-90, Shakarpur, Delhi-110092.

...Workman.

Versus

1. The Registrar,
University of Delhi,
Delhi-110007.
2. Jai Balaji Security Services,
102 Shiv Lok House-01, Commercial Complex,
Karampura, Delhi-110015

...Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/107/2020 IR(DU) dated 05.11.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the demands dated 30.12.2016 raised by the workers Shri Kuldeep and 166 others through MD General Mazdoor Union to the management of M.s Jai Balaji Security Services / Jawahar Lal Nehru University, New Delhi are proper, legal and /or justified? If yes, to what relief are the workers concerned entitled and what directions, if any, are necessary in this regard?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimants opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimants union. Despite service of the notice, claimants union opted to abstain away from the proceedings. No claim statement was filed on their behalf. Thus, it is clear that the claimants are not interested in adjudication of the reference on merits.

4. Since the claimants neither put their appearance nor led any evidence so as to prove their cause against the managements, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 59.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री सुंदर वीर, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 251/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-13-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 59.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 251/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Sunder Veer, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-13-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 251/2021

Date of Passing Award- 01.12.2022

Between:

Sh. Sunder Veer, S/o Sh. Mahaveer Singh,
R/o House No-F-5/297, Raj Nagar Loni, Ghaziabad,
Uttar Pradesh-201102.

... Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.

2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person

For the claimant

(A/R)

Shri Rohit Bhagat

For the Management No.1

None for the management No.2

For the Management No.2.

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 18.12.2016 as a Security Guard. His last drawn wage per month was Rs. 18500/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded ex parte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 60.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री राम किशन, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट(संदर्भ सं. 241/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-12-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 60.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 241/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Ram Kishan, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-12-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 241/2021

Date of Passing Award- 06.12.2022

Between:

Sh. Ram Kishan, S/o Sh. Netra Pal,
R/o-B-14, Gali No.-02, Ghazipur Gaon,
Delhi-110096

.... Claimant

VERSUS

1. **The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.**

2. **3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.**

... Managements

Appearances:-

Claimant in person

... For the claimant

(A/R)

Shri Rohit Bhagat

.... For the Management No.1

None for the management No.2

..... For the Management No. 2.

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 14,000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 61.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबंधित नियोजकों और श्री नरेंद्र कुमार त्यागी, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 239/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-11-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 61.— In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 239/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Narender Kumar Tyagi, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-11-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI**

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 239/2021**Date of Passing Award- 07.12.2022**

Between:

Sh. Narender Kumar Tyagi, S/o Sh. Vijay Prakash Tyagi,
R/o—A-02/272, Gali No.02, Harijan Basti,
East Gokulpur, Delhi-110094.

... Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.

2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person

For the claimant

(A/R)

Shri Rohit Bhagat

For the Management No.1

None for the management No.2

For the Management No.2.

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 14,000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 62.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबंध में नियोजकों और श्री अतर सिंह, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 238/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-10-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 62.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 238/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Atar Singh, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-10-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.**

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 238/2021

Date of Passing Award- 07.12.2022

Between:

Sh. Atar Singh, S/o Sh. Kutbi,
R/o-89, Panchayara, Ghaziabad -201102.

... Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.

2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person
(A/R)

For the claimant

Shri Rohit Bhagat

For the Management No.1

None for the management No.2
(A/R)

For the Management No.2.

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 18,500/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 63.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री मोहिउद्दीन, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 247/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-9-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 63.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 247/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Mohiuddin, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-9-IR (DU)]

DK HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI**

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 247/2021

Date of Passing Award- 05.12.2022

Between:

Sh. Mohiuddin, S/o Sh. Tauqeer Khan,
R/o:- House No.-120, Pratap Khand, Vishwakarma Nagar,
Delhi-110095.

... Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.

2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person	For the claimant
(A/R)	
Shri Rohit Bhagat	For the Management No.1
None for the management No.2	For the Management No.2.
(A/R)	

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 14,000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 64.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबंध में संवर्द्ध नियोजकों और श्री सलीम खान, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 252/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-7-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

S.O. 64.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 252/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi, and Shri Salim Khan, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-7-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 252/2021

Date of Passing Award- 01.12.2022

Between:

Sh. Salim Khan, S/o Sh. Alisha Khan,
R/o House No-A-62, Vikram Enclave, Shalimar Garden,
Ghaziabad, Uttar Pradesh-201001.

... Claimant

VERSUS

1. **The Medical Superintendent,**
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.

2. **3573, Balaji Kumar Panda Security Agency,**
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person

For the claimant

(A/R)

Shri Rohit Bhagat

For the Management No.1

None for the management No.2

For the Management No.2.

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 14000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded ex parte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not

proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का. आ. 65.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री सुरेश चंद, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 245/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-8-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 65.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 245/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Suresh Chand, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-8-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 245/2021

Date of Passing Award- 05.12.2022

Between:

Sh. Suresh Chand, S/o Sh. Kanchid Lal,
R/o-1076/14, Mandoli Ex.,
Delhi-110093.

...Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.

2. 3573, Balaji Kumar Panda Security Agency,

Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person
(A/R)

For the claimant

Shri Rohit Bhagat

For the Management No.1

None for the management No.2

For the Management No.2.

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 18,500/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 66.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री यम बहादुर थापा, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 236/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-6-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 66.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 236/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in

relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Yam Bhadur Thapa, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-6-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 236/2021

Date of Passing Award- 07.12.2022

Between:

Sh. Yam Bhadur Thapa, S/o Sh. Chandra Lal Thapa,
R/o-C-228, J. J Colony, Inderpuri, IARI Madhya,
Delhi-110012.

.... Claimant

VERSUS

1. **The Medical Superintendent,**
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.
2. **3573, Balaji Kumar Panda Security Agency,**
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person

For the claimant

(A/R)

Shri Rohit Bhagat

For the Management No.1

None for the management No.2

For the Management No.2.

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 18500/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded ex parte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The

proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 67.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबंध में नियोजकों और श्री यशवीर सिंह, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 244/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-5-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 67.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 244/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi , and Shri Yesbir Singh, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-5-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. Pranita Mohanty, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 244/2021

Date of Passing Award- 06.12.2022

Between:

Sh. Yesbir Singh, S/o Sh. Shobh Ram Singh,
R/o-B-536-A, Double Story, Brij Vihar, Chander Nagar,
Ghaziabad, Uttar Pradesh

... Claimant

VERSUS

1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.

2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person
(A/R)

Shri Rohit Bhagat

None for the management No.2

(A/R)

For the claimant

For the Management No. 1

For the Management No. 2.

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 14,000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 68.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री रीवा राम शर्मा, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 243/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-4-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 68.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 243/2021) of the Central Government Industrial Tribunal

cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi, and Shri Rewa Ram Sharma, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-4-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 243/2021

Date of Passing Award- 06.12.2022

Between:

Sh. Rewa Ram Sharma, S/o Sh. Radhey Shyam,
R/o-Soorajpur Mahanwa,
Bagpat, U.P

... Claimant

VERSUS

1. **The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,**
Jhilmil Colony, Delhi-110095.
2. **3573, Balaji Kumar Panda Security Agency,**
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.

... Managements

Appearances:-

Claimant in person
(A/R)

For the claimant

Shri Rohit Bhagat

For the Management No. 1

None for the management No.2

For the Management No. 2.

(A/R)

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 18500/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 12 जनवरी, 2023

का.आ. 69.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिकित्सा अधीक्षक, इंदिरा गांधी कर्मचारी राज्य बीमा निगम अस्पताल, झिलमिल कॉलोनी, दिल्ली; 3573, बालाजी कुमार पांडा सुरक्षा एजेंसी, जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री सीता राम, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली पंचाट (संदर्भ सं. 250/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-3-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 12th January, 2023

S.O. 69.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 250/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Medical Superintendent, Indira Gandhi Employees' State Insurance Corporation Hospital, Jhilmil Colony, Delhi ; 3573, Balaji Kumar Panda Security Agency, Janakpuri, New Delhi, and Shri Sita Ram, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-3-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 250/2021

Date of Passing Award- 05.12.2022

Between:

Sh. Sita Ram, S/o Sh. Paras Ram,
R/o—House No.-01/9894, Gali No.-3-D, West Gorakhpark,
Shahdara, Delhi-110032.

... Claimant

VERSUS

1. **The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.**

2. **3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.**

... Managements

Appearances:-

Claimant in person
(A/R)

For the claimant

Shri Rohit Bhagat

For the Management No.1

None for the management No.2
(A/R)

For the Management No. 2.

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per month was Rs. 14000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 70.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 33/2018) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27.12.2022 को प्राप्त हुआ था।

[सं. एल-22012/53/2018-आई. आर. (सी.एम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 70.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 33/2018) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 27/12/2022.

[No. L-22012/53/2018 – IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL**

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 33 OF 2018**Parties:** Deb Kumar Roy.**Vs.**

Management of Sonepur Bazari Project of M/s. ECL

REPRESENTATIVES:

For the Union/Workman: None.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.**STATE:** West Bengal.**Dated:** 14.12.2022**AWARD**

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/53/2018-IR(CM-II)** dated 05.11.2018 has been pleased to refer the following dispute between the employers, that is the Management of Sonepur Bazari Project of M/s. Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Sonepur Bazari Project, M/s. E.C. Ltd. in non-payment of Heavy Duty Allowance for the period from 01.07.2006 to 31.03.2009 to Sri Deb Kumar Roy is justified or not? If not, what relief the workman is entitled to?”

1. On receiving Order **No. L-22012/53/2018-IR(CM-II)** dated 05.11.2018 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 33 of 2018** was registered on 26.11.2018 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal.

2. The Reference case was fixed up on 07.12.2022 for filing written statement by the Management. On repeated calls at 01:05 PM none appeared for the workman. Union representative of Ukhra Colliery Mazdoor Union was not found available. Since registration of this dispute for adjudication, no step has been taken on behalf of workman.

3. Mr. P. K. Das, learned advocate for the Management of Sonepur Bazari Project of M/s. ECL was present and filed xerox copy of Death Registration Certificate of Deb Kumar Roy, the workman. It appears that the concerned workman has died on 22.05.2021.

4. The scheduled dispute is for consideration as to whether the action of Management of Sonepur Bazari Project of M/s. ECL was justified in non-payment of Heavy Duty allowance to Deb Kumar Roy for the period from 01.07.2006 to 31.03.2009 and to what relief the workman is entitled. During the period of pendency of dispute since 2018 none has appeared for substitution of legal heir in place of Deb Kumar Roy. Under such facts and circumstances the Reference case is disposed of in the form of “No Dispute Award”.

Hence,

ORDERED

The Reference case is accordingly disposed of. A **No Dispute Award** is drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 71.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 30/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27.12.2022 को प्राप्त हुआ था।

[सं. एल-22012/50/2002-आई आर (सी.एम - II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 71.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 30/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 27.12.2022

[No. L-22012/50/2002 -IR(CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 30 OF 2002

Parties : Jhuma Mukherjee and 10 others.

Vs.

Management of Samla Colliery of M/s. ECL

REPRESENTATIVES:

For the Union/Workman : Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

For the Management : Mr. P. K. Goswami, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 14.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/50/2002-IR(CM-II)** dated 28.08.2002 has been pleased to refer the following dispute between the employers, that is the Management of Samla Colliery under Pandaveswar Area of M/s. Eastern Coalfields Limited and their workmen for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Shamla Colliery under Pandaveswar Area of M/s. Eastern Coalfields Limited in not regularizing Smt. Jhuma Mukherjee, Wagon Loader and 10 others (list enclosed) as Security Guard is legal and justified? If not, to what relief are the workmen entitled and from what date?”

1. On receiving Order **No. L-22012/50/2002-IR(CM-II)** dated 28.08.2002 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 30 of 2002** was registered on 10.09.2002 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The Reference case was fixed up on 07.12.2022 for hearing of Argument. Mr. P. K. Goswami, learned advocate represented the Management of Samla Colliery under Pandaveswar Area of M/s. Eastern Coalfields Limited was present. Mr. Rakesh Kumar, President, Koyala Mazdoor Congress, representing the workmen submitted that the dispute involved in this Reference case is whether non-regularization of Mr. Jhuma Mukherjee, Wagon Loader and 10 others as Security Guard is legal and justified and to what relief the workman entitled to and from what date. In this matter it was further submitted that the workmen have been regularized in other post in Time Rate category and they have no grievance against the company.

3. Mr. P. K. Goswami, learned advocate for the Management raised no objection. Considered the facts and circumstances of the case and the changed situation, I hold that there is no pending dispute between the eleven (11) workmen and Management of Samla colliery under Pandaveswar Area of M/s. Eastern Coalfields Limited. Accordingly, the Reference case is disposed in the form of **No Dispute Award**.

Hence,

ORDERED

A **No Dispute Award** is drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 72.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 108/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27.12.2022 को प्राप्त हुआ था।

[सं. एल-22012/399/2004-आई आर (सी.एम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 72.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 108/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 27.12.2022.

[No. L-22012/399/2004 – IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,****ASANSOL**

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 108 OF 2005

Parties: Raju Majhi
(dependent son of Late Hopni Mejhain).

Vs.

Management of Lachipur Colliery of M/s. ECL.

REPRESENTATIVES:

For the Union/Workmen: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.
For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal. **STATE:** West Bengal. **Dated:** 14.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/399/2004-IR(CM-II)** dated 17.08.2005 has been pleased to refer the following dispute between the employers, that is the Management of Lachipur Colliery under Kajora Area of M/s. Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Lacchipur Colliery under Kajora Area of M/s. Eastern Coalfields Limited, in denying employment to the dependent of Late Hopni Mejhain, who died while in service is legal and justified? If not, to what relief the dependent of deceased workman is entitled?”

1. On receiving Order **No. L-22012/399/2004-IR(CM-II)** dated 17.08.2005 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 108 of 2005** was registered on 09.09.2005 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The case was fixed up on 06.12.2022 for evidence of Workman Witness. Mr. P. K. Das, learned advocate represented the Management of Lachipur Colliery. Mr. Rakesh Kumar, the union representative of Koyala Mazdoor Congress submitted that Raju Majhi the dependent son of Late Hopni Mejhain has not turned up for his evidence.

3. On a perusal of the case record I find that the case is pending since 2005. Ample opportunity was given to the dependent of the deceased workman for making out their case but there is not active participation on the part of the claimants. Under such circumstances the Reference case is disposed of in the form of “No Dispute Award”.

Hence,

ORDERED

A **No Dispute Award** is drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and notification

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 73.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण—सह—श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 44/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05.01.2023 को प्राप्त हुआ था।

[सं. एल-22012/196/2012-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 73.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 44/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 05/01/2023.

[No. L-22012/196/2012 – IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

Present: Shri Ananda Kumar Mukherjee, Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 44 OF 2012

Parties : Ganku Bhuia

Vs.

Management of Shyamsunderpur Colliery of M/s. ECL

REPRESENTATIVES:

For the Union/Workman: Mr. S. K. Pandey, General Secretary, Colliery Mazdoor Congress

For the Management: Mr. P. K. Goswami, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 16.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/196/2012-IR(CM-II)** dated 30.11.2012 has been pleased to refer the following dispute between the employers, that is the Management of Shyamsunderpur Colliery of M/s. Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Shyamsunderpur Colliery in dismissing Shri Ganku Bhuia, Ex-Line Mazdoor is justified? What relief the workman concerned is entitled to and from which date?”

1. On receiving Order **No. L-22012/196/2012-IR(CM-II)** dated 30.11.2012 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 44 of 2012** was registered on 24.12.2012 and an order was passed issuing notice to the parties through registered post, directing them to

appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The case is fixed up today for evidence of workman. Notices were issued to both the parties. Written statements were submitted on behalf of the workman by Mr. S. K. Pandey, union representative and by Mr. P. K. Goswami, learned advocate on behalf of M/s. Eastern Coalfields Limited.

3. It appears from the written statement submitted on behalf of the Management of M/s. Eastern Coalfields Limited that the workman Ganku Bhuia is a chronic absentee and on a previous occasion he was reinstated in his service on the basis of a settlement dated 11.12.1991, where it was agreed between the parties that if Ganku Bhuia remained unauthorizedly absent from duty he will be punished by the way of dismissal. The workman concerned again remained absent from 25.01.1993 on a plea of serious illness and a Charge Sheet was issued against him bearing Ref. No. Shyam/PD/CS/95/1325 dated 03/07.04.1993. In the written statement the workman claimed that the enquiry was held ex-parte. No evidence has been adduced in this case.

4. Be that as it may, after sufficient opportunities given to the parties none of the parties are found available today. As per order dated 10.10.2022 fresh notice was issued the General Secretary of Colliery Mazdoor Congress under registered post but no representation is made. In view of such nonchalant move on the part of the workman and representative of the Union I am of the view that the workman is disinterested in proceeding with the case. Accordingly, the Reference case is disposed of in the form of No Dispute Award. Same be communicated to the Ministry of Labour and Employment.

Hence,

ORDERED

A **No Dispute Award** is drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 74.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 35/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05.01.2023 को प्राप्त हुआ था।

[सं. एल-22012/88/2019-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 74.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/2019) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 05/01/2023.

[No. L-22012/88/2019 – IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL**

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 35 OF 2019

Parties : Jipu Nunia

Vs.

Management of New Kenda Colliery of M/s. ECL

REPRESENTATIVES:

For the Union/Workman : Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

For the Management : None.

INDUSTRY: Coal. **STATE:** West Bengal. **Dated:** 14.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/88/2019-IR(CM-II)** dated 16.10.2019 has been pleased to refer the following dispute between the employers, that is the Management of New Kenda Colliery of Kenda Area of M/s. Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management for non-payment of SPRA from 1995 to the date of conversion from PR to TR and denial of wages protection in respect of Jipu Nunia, Ex-Employee is proper and justified? If not, what relief to the concerned workman / his dependents is entitled to?”

1. On receiving Order **No. L-22012/88/2019-IR(CM-II)** dated 16.10.2019 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 35 of 2019** was registered on 30.10.2019 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. None appeared for the Management.

2. The case is fixed up today for filing written statement by the parties. The Management of New Kenda Colliery, Kenda Area of M/s. ECL is unrepresented. Mr. Rakesh Kumar, union representative, representing Jipu Nunia submits that the workman has expired and his legal heir has been granted an employment in his place, as such the representative of the deceased workman does not want to proceed with this Industrial Dispute any further.

3. Considered. This dispute relates to whether the Management for non-payment of SPRA to Jipu Nunia from 1995 to the date of conversion from Piece Rate to Time Rate and denial of wage protection is proper and justified and to what relief the concerned workman and his dependents are entitled to. Since the dependents of the deceased employee are no longer interested to proceed with this Industrial Dispute, the same is disposed of in the form of No Dispute Award.

Hence,

ORDERED

The Reference case is accordingly disposed of. A **No Dispute Award** is drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 75.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ सं. 20/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.01.2023 को प्राप्त हुआ था।

[सं. एल-22012/134/2013-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 75.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 20/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 11/01/2023

[No. L-22012/134/2013-IR (CM-II)]

RAJENDER SINGH Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 20 OF 2013

Parties : Chanda Majhi

Vs.

Management of Satgram Incline, Satgram Area, M/s. ECL.

REPRESENTATIVES:

For the Management: Mr. P. K. Das, Learned Advocate.

For the Union/Workman: Mr. H. L. Soni, Asst. General Secretary, Koyala Mazdoor Congress.

INDUSTRY: Coal. **STATE:** West Bengal. **Dated:** 27.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/134/2013-IR(CM-II)** dated 04.10.2013 has been pleased to refer the following dispute between the employers, that is the Management of Satgram Incline under Satgram Area of M/s. Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Satgram Incline under Satgram Area of M/s. E. C. Limited to dismiss from service to Sri Chanda Majhi, U.G. Loader, U. Man No. 115555 was proper, fair and proportionate punishment only on ground of absenteeism which was due to his illness. If not, so what relief management can provide to him?”

1. On receiving Order **No. L-22012/134/2013-IR(CM-II)** dated 04.10.2013 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 20 of 2013** was registered on 14.02.2014 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appear before the Tribunal through their authorized representatives.

2. The case was fixed up on 07.12.2022 for ex-parte hearing. On call Mr. H. L. Soni, union representative for the workman and Mr. P. K. Das, learned advocate for the Management filed a xerox copy of Memorandum of Settlement between Chanda Majhi, the workman and Management of Satgram Area of M/s. Eastern Coalfields Limited dated 23.11.2018. Also perused a copy of Office Order dated 29/31.01.2019 issued by Senior Manager (Personnel)/IC, Satgram Area of M/s. Eastern Coalfields Limited, where it has been stated that Competent Authority, ECL has been pleased to accord approval in compliance with CGIT Award (Ref. No. 20 of 2013) for reinstatement of Chanda Majhi, U.G. Loader without back wages. A clarification was sought for from the Senior Manager (Personnel)/IC, Satgram Area of M/s. Eastern Coalfields Limited as well as the Agent of Satgram Project, M/s. Eastern Coalfields Limited as to how the competent Authority of M/s. Eastern Coalfields Limited noted that CGIT has passed an Award in Reference No. 20 of 2013 for reinstatement of Chanda Majhi, even before adjudication of the Industrial Dispute by the Tribunal.

3. On 15.12.2022 Mr. P. K. Das, learned advocate produced a copy of Corrigendum issued by the Senior Manager (Personnel)/IC, Satgram Area of M/s. Eastern Coalfields Limited dated 01.02.2019/06.02.2019 bearing Ref. No. SAT/PER/Re-instatement/2019/1524 and submitted that the Office Order dated 29/31.01.2019 for reinstatement in service in respect of Chanda Majhi, ex-U.G. Loader was actually issued on the basis of approval received from the competent Authority of Eastern Coalfields Limited, Head Quarter vide their Reference No. ECL/LG/18/1151 dated 17/19.11.2018 by an out of Court settlement.

4. Having perused the Corrigendum as well as the Memorandum of Settlement it appears to me that Chanda Majhi was reinstated in service in the initial basic pay as General Mazdoor, Category-I and the period of his dismissal till the date of reinstatement was treated as dies-non and the workman was not entitled to any back wages. The Reference case is accordingly disposed of in the light of the conditions of settlement. Let an Award be issued in favour of the workman in terms of the settlement treating the Memorandum of Settlement dated 23.11.2018 in two (2) pages as a part of the Award.

Hence,

ORDER

The Reference case is disposed of in favour of the workman. An Award be passed in favour of the workman in terms of Memorandum of Settlement dated 23.11.2018 in Form 'H', which is made a part of the Award. Let copies of the Award be sent to the Ministry of Labour, Govt. of India, New Delhi for information and necessary action.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 76.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण—सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 27/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.01.2023 को प्राप्त हुआ था।

[सं. एल-22012/247/98-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 76.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 27/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 11/01/2023.

[No. L-22012/247/98 – IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,

ASANSOL

Present: Shri Ananda Kumar Mukherjee, Presiding Officer
C.G.I.T-cum-L.C., Asansol

REFERENCE CASE No. 27 of 1999

Parties: Smt. Gita Devi

(Dependent of Late Ramchandra Singh)

Vs.

Management of Parascole Colliery of M/s. ECL

REPRESENTATIVES:

For the Management: Mr. P. K. Das, Learned Advocate.

For the Union/Workmen: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

INDUSTRY : Coal. **STATE :** West Bengal. **DATED:** 19.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order No. **L-22012/247/98/IR(CM-II)** dated 26/27.05.1998 has been pleased to refer the following dispute between the employers, the Management of Parascole Colliery of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“ Whether the action of the Management in denying employment to the dependent wife of late Sh. Late Ramchandra Singh, Ex-Fitter, Parascole Colliery, Distt. Burdwan is just and legal? If not, to what relief is the dependent wife of the deceased employee entitled for? ”

1. After receiving Order **L-22012/247/98/IR(CM-II)** dated 26/27.05.1998 of the aforesaid Reference framed by the Government of India, Ministry of Labour, New Delhi for adjudication of the industrial dispute raised, by the dependent of deceased workman through Koyala Mazdoor Congress, Asansol, a **Reference case No. 27 of 1999** was registered on 07.06.1999, and an order was passed issuing notice to the parties through registered post inviting them to submit their written statements along with documents and witnesses they relied upon. Both parties appeared before the Tribunal through their authorized representatives.

2. On 05.12.2001 the Mr. Rakesh Kumar, General Secretary of Koyala Mazdoor Congress submitted a written statement on behalf of the workman contending inter alia that Late Ramchandra Singh, Ex-Fitter of Parascole Colliery was a permanent employee of the Company who died in harness on 30.01.1992 leaving behind his two wives namely Smt. Tukubala Devi and Smt. Gita Devi and the children through his second wife Smt. Gita Devi. While Smt. Gita Devi one of the wives of Late Ramchandra Singh applied for providing employment another wife, Smt. Tukubala Devi claimed payment of legal dues of her husband. Management paid all the legal dues to the first wife and also processed the employment proposal of Smt. Gita Devi Singh, the other wife of Late Ramchandra Singh.

3. Subsequently, the Authorities at the Head Quarters of M/s. Eastern Coalfields Limited expressed regret for not being able to provide employment to Smt. Gita Devi Singh on the ground that she was not the legal wife of the ex-employee. It is contended on behalf of the dependents of the workman that the Management has to provide one employment to one of the dependents of Late Ramchandra Singh, a permanent employee. It is claimed that Late Ramchandra Singh married the younger sister of his first wife as it was permissible under the law.

4. Further contention on behalf of the dependents of deceased workman is that on earlier occasion employment was given to the second wife of deceased employee and in the instant case the second marriage of Late Ramchandra Singh was solemnized with the consent of the first wife. The alternative relief sought on behalf of the dependents of the deceased workman is that the son of Late Ramchandra Singh is now an adult and if the Management is not willing to provide employment to the second wife, then the son can be granted employment. It is also asserted that during Meeting with the Union and the Employer Company it was agreed by the Management to pay monetary compensation to the second wife. Therefore, it would imply that Management accepted the proposal for providing employment to the second wife as monetary compensation is given in lieu of employment. According to the Union representative, Smt. Gita Devi, wife of Late Ramchandra Singh should be provided employment under clause 9:4:2 of NCWA-III and if it is not possible the Management should provide employment to the son of Smt. Gita Devi at the earliest with all consequential benefits.

5. Mr. P. K. Das, learned advocate for the Management appeared on 18.01.2002 and filed a written statement on 19.03.2002 on behalf of Management of M/s. Eastern Coalfields Limited. According to the Employer Company the dispute raised by the union in respect of the scheduled Reference is entirely

misconceived and there cannot be any industrial dispute over the said issue. It is admitted that Late Ramchandra Singh was an employee of Parascole Colliery of M/s. Eastern Coalfields Limited and he died in harness on 30.01.1992. According to the Eastern Coalfields Limited Authority the Service Record of the workman indicates that he had two wives. Smt. Tukubala Devi and Smt. Gita Devi. After the death of the employee both the wives submitted an Indemnity bond before the Management declaring that the first wife Smt. Tukubala Devi would receive legal dues of the deceased workman in respect of P.F., Gratuity and the second wife would be entitled to employment against death of Late Ramchandra Singh. The second wife of deceased workman applied for providing employment to her and the same was forwarded to the competent Authority vide letter No. E.C.L/CMD/C-68/Empl/3/8 dated 31.03.1998 and the same was regretted by the competent Authority on the ground that the marriage with the second wife during the lifetime of first wife was illegal and therefore the prayer for providing employment to the second wife could not be approved. M/s. Eastern Coalfields Limited has contended that Indemnity bond furnished by both parties are not binding upon the Management and the terms and conditions are not enforceable as the same is nothing but an internal arrangement between the parties.

6. The Deputy CME of Parascole Colliery in the written statement has denied that in the past Management of the Employer Company had provided employment to the second wife of deceased employee. It has been urged that the action of the Management is totally justified in not providing the employment to the dependent petitioner-wife of Late Ramchandra Singh and that the workman is not entitled to any other relief as prayed for.

7. Smt. Gita Devi, Workman Witness -1, filed an Affidavit-in-chief and was cross-examined on behalf of the Management. On a perusal of the evidence of Smt. Gita Devi it appears that Smt. Tukubala Devi, the first wife of Late Ramchandra Singh is still alive. She denied the suggestion that she is not the dependent of Late Ramchandra Singh or is not entitled to any employment on the ground of death of Ramchandra Singh. No evidence has been adduced by the Management in this case despite opportunity given to them. Order dated 21.12.2004 reveals that Management declined to adduce evidence.

8. Mr. P. K. Das, learned advocate for the Management argued that Smt. Gita Devi who claimed employment in the capacity of second wife of Late Ramchandra Singh is not entitled to any employment since her marriage is void ab initio as Smt. Tukubala Devi the first wife of Late Ramchandra Singh was alive and her marriage with Late Ramchandra Singh was subsisting at the time of her husband's alleged second marriage.

9. Mr. Rakesh Kumar in reply argued that the marriage between Late Ramchandra Singh and Smt. Gita Devi took place with the consent of first wife as she could not give birth to any child through her wedlock. It is contended that according to clause 9.4.2 of NCWA-III which is pari materia with the provisions under clause 9.3.2 of NCWA-VI which relates to provision for granting employment to dependents of the workman. It is further argued that Smt. Gita Devi is entitled to an employment due to death of her husband and in case she is not provided with the employment the adult son of Late Ramchandra Singh and Smt. Gita Devi should be provided with employment according to the clause 9.3.2 of National Coal Wage Agreement (NCWA)-VI.

10. I have considered the rival contentions in the backdrop of provisions laid down in NCWA-III and NCWA-VI, related to providing employment to one dependent of workman who died while in service. Admittedly Late Ramchandra Singh was a permanent employee of M/s. Eastern Coalfields Limited and he died in harness on 30.01.1992 at the age of 54 years. It is evident from the testimony of Smt. Gita Devi that she is the second wife of Late Ramchandra Singh and Smt. Tukubala Devi, her elder sister, is the first wife. Under the Hindu Marriage Act there can be no solemnization of valid second marriage during the lifetime of the first wife. Therefore, the alleged marriage of Late Ramchandra Singh with Smt. Gita Devi was a marriage of convenience and a nullity in the eye of law. Accordingly, the Management of M/s. Eastern Coalfields Limited is justified in not providing employment to Smt. Gita Devi in the capacity of a second wife of Late Ramchandra Singh. The claim of Smt. Gita Devi for her employment is therefore not tenable.

11. According to clause 9.3.2 of National Coal Wage Agreement -VI, as a means of securing social security employment is to be provided to one dependent of the workman who died while in service. It is amply clear and evident from the service record of Ramchandra Singh that he left behind one son and three daughters through his second marriage. In the Affidavit-in-chief Smt. Gita Devi has deposed in 2003 that her son was more than eighteen years of age and if the Management did not provide employment to her then her son may be provided with employment as a dependent. The Workman Witness has been cross-examined on behalf of Management of Eastern Coalfields Limited. It transpires from the cross-examination dated 28.01.2003 that after six months from the date of death of her husband she applied for employment and that her name is also recorded as wife in the Service record of Ramchandra Singh.

12. According to the section 16 (1) of the Hindu Marriage Act, 1955:

"Notwithstanding that a marriage is null and void under section 11, any child of such marriage who would have been legitimate if the marriage had been valid, shall be legitimate, whether such child is born before or after the commencement of the Marriage Laws (Amendment) Act, 1976, and whether or not a decree

of nullity is granted in respect of that marriage under this Act and whether or not the marriage is held to be void otherwise than on a petition under this Act."

The aforesaid law therefore declares that even though a marriage is a void marriage, the children of such marriage would be legitimate. Thus, the Management of ECL is duty bound to consider the case of Sri Subodh Kumar Singh, the son of deceased employee Ram Chandra Singh, given birth by Smt. Gita Devi. Already the Management of the Company and the Head Office has unnecessarily delayed the matter without complying the norms of clause 9.4.2 of NCWA-III and has deprived the legal heirs and dependents of the deceased employee in an unjust and illegal manner.

13. Learned advocate for the Management of Eastern Coalfields Limited tried to controvert the claim and argued that there has been an inordinate delay on the part of the dependents of the workman in claiming employment for the son of deceased workman. Mr. P. K. Das argued that no such application seeking employment for the son of the deceased workman was made immediately after death of Ramchandra Singh. Only the second claimed employment for herself at the first instance. Therefore, the claim for employment for the son cannot be entertained at this stage. Mr. Rakesh Kumar, Union representative, in reply argued that the Management of the Company from its official record was aware about the family composition of the deceased employee and the fact that he has left behind a minor son, but at no point of time any employment was offered to the son nor any monetary compensation was paid to the female dependent.

14. I have considered the rival contentions of the parties and the contents of the Schedule which raised the question regarding providing employment to the son. It appears from the available documents that the Management of Employer Company by letter Ref. No. PC/C-6/93-938 dated 11.05.1993 had informed Smt. Gita Devi that her claim for employment in the capacity of second wife was not tenable. The company is therefore liable to comply the other options to ensure social security to the family of the deceased employee. Since the Reference case is pending and written statement filed by the dependent of the workman in December, 2001 laid a claim for employment for the son of Smt. Gita Devi, the Management Company had adequate an effective notice regarding such claim. Delay on the part of the dependent of the deceased workman cannot destroy the claim for compassionate appointment which has assumed the force of a contract through various clauses of NCWA. In this context it is appropriate to rely upon a decision of the Hon'ble Supreme Court in the case of **Syed Khadim Hussain vs. State of Bihar and others; (2016) 9 SCC 195** observed that:

"where the rules framed by the Stated does not specify as to what should be done in the case the dependents are minor and whether there should be any relaxation of age in case they did not attain majority within the prescribed period for submitting application. The Court was of the opinion that as the widow submitted application within the prescribed time period the authorities should have considered her application. As eleven years passed she would not be in a position to join in a Government service. It is a fit case where the son should have been considered in her place for appointment and the Court directed the authorities to consider the application of the son to give him appointment."

15. In the instant case Smt. Gita Devi, second wife of Late Ramchandra Singh, who had performed all her responsibilities as a wife and given birth to the children of Ramchandra Singh was of the impression that she was entitled to claim a job in place of deceased Ramchandra Singh. Unfortunately, the law of the land has restricted her claim of being a legally married wife and she was disqualified in getting an employment in the capacity of wife. No provision was made for monetary compensation for the maintenance of minor children. Two decades have passed but the dispute revolving around the claim for employment remained unresolved. After attainment of majority of the son a plea was taken in the written statement filed by Smt. Gita Devi that her son may be provided with employment. In my considered view the claim for employment for the son has been raised by Smt. Gita Devi long back in the year 2001, after the minor son had attained major. It is therefore, just appropriate and reasonable for the Employer Company of Eastern Coalfields Limited to consider Subodh Kr. Singh for his employment under the Company as a dependent son of deceased employee, Ramchandra Singh.

16. The Reference case is therefore decided in favour of the petitioner, Smt. Gita Devi. An Award is passed to the effect that Subodh Kumar Singh, her son, a dependent of Ram Chandra Singh, if found otherwise eligible be offered an employment under M/s. Eastern Coalfields Limited within one (1) month from the date of Notification of the Award.

Hence,

ORDERED

The Reference case is disposed of in favour of the petitioner. An Award is passed to the effect that Subodh Kumar Singh, the son, a dependent of Late Ramchandra Singh be offered an employment under M/s. Eastern Coalfields Limited within one (1) month from the date of notification of the Award without any delay. Let copies of the Award in duplicate be communicated to the Ministry of Labour and Employment, Government of India for information and instruction.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 77.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 18/2017) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.01.2023 को प्राप्त हुआ था।

[सं. एल-22012/114/2017-आई आर (सी.एम.-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 77.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 18/2017) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 11/01/2023.

[No. L-22012/114/2017 – IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 18 of 2017

Parties : Ruplal Hari

Vs.

Management of Nimcha Colliery, Satgram Area, M/s. ECL.

REPRESENTATIVES:

For the Management: Mr. P. K. Das, Learned Advocate.

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

INDUSTRY : Coal. **STATE :** West Bengal. **Dated :** 16.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/114/2017-IR(CM-II)** dated 17.11.2017 has been pleased to refer the following dispute between the employers, that is the Management of Nimcha Colliery under Satgram Area of M/s. Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of M/s. Eastern Coalfields Ltd. in relation to its Nimcha Colliery under Satgram Area in imposing a punishment of dismissal for his unauthorized period from 25.03.2006 to 26.05.2006 i.e., for about 02 (two) months, on Shri Ruplal Hari, U.G. Loader (UM No. 116562) is just and legal? If not, to what relief the workman is entitled to?”

1. On receiving Order **No. L-22012/114/2017-IR(CM-II)** dated 17.11.2017 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 18 of 2017** was registered

on 28.11.2017 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appear before the Tribunal through their authorized representatives.

2. The case is fixed up today for further order. Mr. P. K. Das, learned advocate for the Management and Mr. Rakesh Kumar, President, Koyala Mazdoor Congress are present. A copy of the Memorandum of Settlement in Form-H dated 31.01.2019 is submitted along with copies of Office Orders. It appears from that the dispute between the parties has been resolved amicably in terms of settlement.

3. In view of such settlement and the terms and conditions laid down in the memorandum of Settlement in Form-H dated 31.01.2019 Ruplal Hari, the dismissed employee has been reinstated in service in the initial basic as General Mazdoor, Cat-I and the period from the date of dismissal till his re-instatement has been treated as dies-non. The workman has not been allowed any back wages. In light of the above findings let an Award of no dispute be passed treating the Memorandum of Settlement in Form-H a part of the Award.

Hence,

ORDER

The Reference case is disposed of in favour of the workman. A “**No Dispute Award**” be passed in terms of Memorandum of Settlement dated 31.01.2019 in Form ‘H’ which is made a part of the Award. Let copies of the Award be sent to the Ministry of Labour, Govt. of India, New Delhi for information and necessary action.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 78.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण—सह—श्रम न्यायालय, आसनसोल के पंचाट(संदर्भ संख्या 46/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.01.2023 को प्राप्त हुआ था।

[सं. एल-22012/298/2007-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 78.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 46/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 11/01/2023.

[No. L-22012/298/2007 – IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,

ASANSOL

PRESENT: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer
C.G.I.T-cum-L.C., Asansol

REFERENCE CASE No. 46 of 2008

Parties : Upendra Kumar Chouhan

Vs.

Management of B.M.P Group of Mines of M/s. ECL

REPRESENTATIVES:

For the Management : Mr. P. K. Goswami, learned advocate.

For the Union/Workmen : Mr. R. K. Tripathi, General Secretary, Koyala Mazdoor Congress.

INDUSTRY: Coal.

STATE : West Bengal.

DATED: 22.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order No. **L-22012/298/2007-IR(CM-II)** dated 31.07.2008 has been pleased to refer the following dispute between the employers, the Management of B.M.P. Group of Mines of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“ Whether the action of the Management of M/s. ECL in regularising Shri Upendra Kr. Chouhan w.e.f. 07.05.1997 in the post of Mining Sirdar, Tech & Supv. Gr ‘C’ instead of promotion in the same post is legal and justified? To what relief, is the workman concerned entitled? ”

1. After receiving Order **L-22012/298/2007-IR(CM-II)** dated 31.07.2008 of the aforesaid Reference framed by the Government of India, Ministry of Labour, New Delhi for adjudication of the industrial dispute raised by the workman through Koyala Mazdoor Congress, Asansol, a **Reference case No. 46 of 2008** was registered on 13.04.2009, and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The workman filed written statement on 24.11.2009 and Management filed the written statement on 23.08.2012. Upendra Kr. Chouhan adduced his evidence by filing an Affidavit-in-chief. He was re-examined on recall on 25.11.2022 as some relevant documents were not admitted in evidence on earlier occasion. Workman Witness-1 produced a copy of the Office Order dated 15.10.1996 by which the workman, a Timber Mazdoor bearing No. 132244 of Patmohana Colliery, Sitarampur Area of M/s. Eastern Coalfields Limited joined at Kalidaspur Project of M/s. Eastern Coalfields Limited on transfer as Mining Sirdar w.e.f. 15.10.1996. The document has been marked as Exhibit Ext.W-1. Another copy of Office Order bearing No. ECL/KDP/PO/WO/Per/97/3678 dated 29/30.07.1997 has been produced as Exhibit Ext.W-2 whereby, on successful completion of training as Mining Sirdar he was regularised to the post of Mining Sirdar in Technical and Supervisor Grade ‘C’ in the scale of Rs.1990-100-2790-110-3670 of NCWA-V w.e.f. 01.05.1997. The third document produced by the workman is a copy of Office Order dated 07.06.1996 by which other workmen were promoted to the post of Mining Sirdar -cum- Shotfirer in Technical and Supervisor Grade ‘C’ in the same pay scale of Rs.1990-100-2790-110-3670 of NCWA-V w.e.f. different dates. The document has been marked as Exhibit Ext.W-3.

3. In this case the Management Company has not adduced any evidence and no Management Witness is examined even after granting ample opportunity. The counter case of the Management of M/s. Eastern Coalfields Limited which transpires from their written statement and their cross-examination of Workman Witness -1 is that Upendra Kr. Chouhan was deployed as Mining Sirdar -cum- Shotfirer for a period of six (6) months’ training with different of wages in Technical and Supervisor Grade ‘C’. After completion of six (6) months he was regularised as Mining Sirdar -cum- Shotfirer vide Office Order No. ECL/KDP/PO/WO/Per/97/3678 dated 30.07.1997 and thereafter, he was transferred to Bejdih Colliery of M/s. Eastern Coalfields Limited after his regularisation. The Management has contended that since he has been regularised to the post of Mining Sirdar, the workman is not entitled to any promotion as it is to be considered where his right to promotion accrues. Further contention of the Management is that a dispute has been raised in the year 2005 after laps of nine (9) years. As such claim of promotion is not justified and he is not entitled to any relief.

4. The Reference case which has been formulated for adjudication is whether the action of the Management in regularising Upendra Kr. Chouhan w.e.f. 07.05.1997 in the post of Mining Sirdar in Technical and Supervisor Grade ‘C’ is legal and justified. The dispute between the Management of Eastern Coalfields Limited and the workman is in connection with the Employment and terms and conditions of employment where his promotional benefits during fixation of pay has not been paid. Therefore, circumstances the question appropriately qualifies itself as an Industrial Dispute under Section 2 (k) of the Industrial Dispute Act, 1947.

5. It is argued by Mr. R. K. Tripathi, Union representative of Koyala Mazdoor Congress that Upendra Kr. Chouhan was transferred to Kalidaspur Project of Eastern Coalfields Limited on 15.10.1996. While working at Kalidaspur Project he underwent a training as Mining Sirdar for six (6) months and passed the Sirdarship examination, Gas Tester examination and First-Aid examination. He was thereafter been promoted as Mining Sirdar in Technical and Supervisor Grade ‘C’ in the scale of Rs.1990-100-2790-110-3670 of NCWA-V w.e.f.

01.05.1997, but he was not granted one increment benefit on his promotion. In support of his contention Mr. R. K. Tripathi rested his argument on Exhibit Ext.W-4, which are two (2) Pay Slips of Upendra Kr. Chouhan for the month of July, 1997 and August, 1997. It is argued that in July, 1997 when his designation was Timber Mazdoor his Gross Pay was rupees five thousand eighty-nine and twenty-one paise only (Rs.5,089.21/-) but when he was posted as Mining Sirdar and the pay applicable to the promotional post was higher, his Gross pay was rupees four thousand eight hundred ninety-eight and fifty-eight paise (Rs.4,898.58/-) which is less than the pay in the lower rank. Mr. R. K. Tripathi argued that in case of promotion to a higher post, workman is entitled to an increment at the time of fixation of his pay in the higher scale but no such benefit has been given to Upendra Kr. Chouhan. The dispute was raised before the company at the official level but as there was no fruitful result, he raised the Industrial Dispute before the Conciliation Authority through the Union.

6. In response to the argument on behalf of the workman Mr. P. K. Goswami, learned advocate for the Management submitted that the workman received the difference of pay as he was temporarily posted as Mining Sirdar and on his completion of training and passing of the examination, he was regularised to the post of Mining Sirdar. It is argued that, since the difference of payment has already been made, the workman was not entitled to any promotional increment.

7. I have carefully considered the rival contentions of the parties and the evidence on record. Upendra Kumar Chouhan was transferred to Kalidaspur Project of Eastern Coalfields Limited w.e.f. 15.10.1996 for the purpose of functioning as Mining Sirdar though in fact he was a Timber Mazdoor. In Order dated 15.10.1996 (Exhibit Ext.W-1) it is clearly stated that Upendra Kr. Chouhan would be paid the difference of wages of Technical and Supervisor Grade 'C' for a period of six (6) months from the date of joining at KOP. It is therefore clear that while the workman was still Timber and had not passed his Sirdarship examination he had been paid the difference of wages which he would have earned only on his promotion as Mining Sirdar. Office Order dated 29/30.07.1997 (Exhibit Ext.W-2) issued in favour of the workman clearly states that Upendra Kr. Chouhan, the workman on his successful completion of training as Mining Sirdar was regularised to the post of Mining Sirdar under Technical and Supervisor Grade 'C' in the scale of Rs.1990-100-2790-110-3670 of NCWA-V w.e.f. 01.05.1997 and his fixation will be done by the Finance department of Kalidaspur Project of Eastern Coalfields Limited.

8. Since the workman on his completion of training was in fact promoted to the post of Mining Sirdar in Technical and Supervisor Grade 'C', like all the other workman whose names appeared in the Office Order dated 07.06.1996 (Exhibit Ext.W-3) he is not only entitled to the difference of pay w.e.f. August, 1997 but the Finance Department of the Management Company was required to fix his pay according to the pay to promotional scale of Rs.1990-100-2790-110-3670 of NCWA-V w.e.f. 01.05.1997, granting him the fixation benefit. The Management of the Company is the custodian of all the documents has failed and neglected to produce any documents to show that the workman availed fixation benefit of his promotion or fixation benefit was granted to him in parity with other workmen promoted to the post of Mining Sirdar.

9. In such view of the matter, I find and hold that the Management by simply regularising Upendra Kr. Chouhan to the post of Mining Sirdar w.e.f. 01.05.1997 without providing him the fixation benefit of promotion in that scale is unjustified and not lawful. The Industrial Dispute in this Reference case is accordingly decided in favour of the workman. An Award be drawn up in favour of the workman, directing the Management of M/s. Eastern Coalfields Limited to grant the benefit of pay fixation to Upendra Kr. Chouhan w.e.f. 01.05.1997 along with his promotional increment appropriately maintaining parity with the other employees promoted to the same grade. The Award shall be enforceable within one (1) month from the date of Notification.

Hence,

ORDERED

The Reference case is disposed of in favour of Upendra Kr. Chouhan. An Award be drawn up directing M/s. Eastern Coalfields Limited to grant promotional increment to the said workman w.e.f. 01.05.1997 on his being promoted to the post of Mining Sirdar in Technical and Supervisor Grade 'C'. The dues be paid to the workman within a month from the date of Notification of the Award. Let copies of the Award in duplicate be communicated to the Ministry of Labour and Employment, Government of India for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 79.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ सं. 24/2002 को प्रकाशित करती है, जो केन्द्रीय सरकार को 11.01.2023 को प्राप्त हुआ था।

[सं. एल-22012/326/2001-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 79.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 24/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 11/01/2023

[No. L-22012/326/2001-IR(CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer
C.G.I.T-cum-L.C., Asansol

REFERENCE CASE No. 24 of 2002

Parties : Bhajan Kumar Mukherjee

Vs.

Management of Ratibati (R) Colliery of M/s. ECL

REPRESENTATIVES:

For the Management: Mr. P. K. Das, learned advocate.

For the Union/Workmen: Mr. Sayantan Mukherjee, learned advocate.

INDUSTRY : Coal. **STATE :** West Bengal. **DATED :** 26.12.2022

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order No. **L-22012/326/2001-IR(CM-II)** dated 30.07.2002 has been pleased to refer the following dispute between the employers, the Management of Ratibati (R) Colliery of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“ Whether the action of the Management of ECL Ratibati (R) Colliery in treating the period from 1.7.97 (date of wrong superannuation) to 29.7.98 (date of reinstatement) as dies non and non-payment of wages for the period to Sh. Bhajan Kumar Mukherjee is just, fair and legal? If not, to what relief is the workman entitled? ”

1. After receiving Order **L-22012/326/2001-IR(CM-II)** dated 30.07.2002 of the aforesaid Reference framed by the Government of India, Ministry of Labour, New Delhi for adjudication of the industrial dispute raised by the workman through Koyala Mazdoor Congress, Asansol, a **Reference case No. 24 of 2002** was registered on 13.08.2002, and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The case was fixed up on 29.11.2022 for hearing of argument as last chance. Mr. P. K. Das, learned advocate appeared for the Management. On repeated calls Bhajan Kumar Mukherjee, the workman as well as his learned advocate were not found available. The case is pending since the year 2002. Evidence has been adduced by the workman but Management did not adduce any evidence nor any document has been produced. Opportunity was provided to the Management of M/s. Eastern Coalfields Limited for adducing evidence, if any. Mr. Kalyan Roy, Deputy Manager (Personnel), Ratibati Group of Mines under M/s. Eastern Coalfields Limited was examined as Management Witness-1. Documents have been produced by him as Ext.M-I to Ext.M-IV. None appeared on behalf of the workman to cross-examine the Management Witness. For appreciating evidence in its proper context, a question was put to the witness by the Presiding Officer of the Tribunal and the answer given by him was recorded. The case was thereafter taken up for hearing of argument. In gist the case of the workman is that the Management of Employer Company due to error in recording his date of birth has superannuated him from service w.e.f. 01.07.1997 by issuing order dated 19.04.1997 (Exhibit Ext.M-1). After considering his representation the Competent Authority correctly recorded his date of birth in Form 'B' as per his Matriculation Certificate (Exhibit Ext.M-III), and permitted him to resume his duty on 29.07.1998. The period of his absence from duty from 01.07.1997 to 28.07.1998 was treated as dies non and he did not receive his wages during those thirteen (13) months and no terminal benefit was given to him on account of the period of his absence from duty, including his Bonus and Provident Fund.

3. Though, opportunity was provided to the workman no one appeared on the date fixed for argument. I have carefully considered the contents of the written statements filed by the workman and Management of M/s. Eastern Coalfields Limited. Also considered the evidence and available documents which have been admitted in evidence. In the Affidavit-in-chief Bhajan Kumar alias Bhajan Chandra Mukherjee has himself stated that some of the documents were marked as Exhibit-1 to Exhibit-5. However, when the case came up for consideration, I found that the said documents were not identified and were not admitted in evidence by the Tribunal.

4. It transpires from the contents of the written statement filed on behalf of the workman is that Bhajan Chandra Mukherjee joined the West Bengal Mining Company on 26.06.1957 and his date of birth was recorded in the Form 'B' Register as 28.05.1939. After nationalization of the Coal Industry, new 'B' Form was prepared in which date of birth of the workman was wrongly recorded as 1938. In this connection the workman raised objection and he was called upon by Management of the Company for assessment of his age on 23.12.1986 at 02:00 PM at Satgram Area Hospital (A copy of Notice dated 19.12.1986 has been produced as Exhibit Ext.M-II). The Assessment Committee verified the Certificate issued by Bihar Vidyalay Pariksha Samiti. The original Matriculation Certificate was received by the Company for verification but ultimately the workman was forced to superannuate from service w.e.f. 01.07.1997. He remained idle from 01.07.1997 to 28.07.1998 without any wages or consequential benefits. The date of birth of the workman was not accepted by the Company until 29.07.1998. On 29.07.1998 the Dy. CME, Ratibati (R) Colliery, Eastern Coalfields Limited issued a letter stating that the period of his idleness would be treated as "Dies Non". He was permitted to join. The contention of the workman is that he cannot suffer for no mistake on his part and urged that the Company shall indemnify his loss.

5. The Management in their written statement admitted that Bhajan Kumar Mukherjee raised a dispute for correction of his date of birth and M/s. Eastern Coalfields Limited Head Quarters vide letter No. ECL/CMD/C-6E/98/14/1040 dated 22.07.1998 (Exhibit Ext.M-III) intimated the decision of the Competent Authority for correction of date of birth of the workman as 28.05.1939 as per his Matriculation Certificate and the workman was allowed to join his duty w.e.f 29.07.1998. An Office Order in that regard was bearing No. RB /Agent /Pers/0.0/98/787 dated 29.07.1998 was issued by Dy. C.M.E./ Agent, Ratibati (R) Colliery of M/s. Eastern Coalfields Limited and specifically mentioned in the Office Order that the period of idleness of the workman from the date of superannuation i.e. 01.07.1997 to 28.07.1998 shall be treated as dies non but continuity of his service will be taken into consideration for the purpose of payment of Gratuity

6. Having considered the materials in record and evidence adduced by Management Witness-1, I find that Exhibit Ext.M-II is a Notice dated 19.12.1986 addressed to Bhajan Mukherjee, directing him to appear before the Assessing Committee on 23.12.1986 at Satgram Area Hospital along with Identity Card and other documents in connection with his date of birth, if any. It appears that the dispute relating to age was raised by the concerned workman not towards the end of his service carrier, but a decade earlier to his wrongful superannuation. Exhibit Ext.M-IV reveals that a Superannuation Notice dated 24.04.1999 was issued and the workman was informed that he has attained superannuation on 28.05.1999 according to the Rolls of ECL (CIL). Exhibit Ext.M-III is a document filed by Management of the Company whereby, a letter dated 22.07.1998 addressed to the Chief Personnel Manager, Satgram Area, communicating that the Competent Authority has been pleased to accorded approval for correction of Form 'B' age in respect of Bhajan Chandra Mukherjee, ex-Clerk, Ratibati Colliery as per his matriculation Certificate wherein his date of birth is recorded as 28.05.1939 and also accorded approval to Bhajan Chandra Mukherjee to join his duty.

7. It is undisputed that the date of birth of Bhajan Kumar Mukherjee, the workman is 28.05.1939 for which the Management of M/s. Eastern Coalfields Limited approved correction of age appearing in the Form 'B' in respect of Bhajan Kumar Mukherjee and also allowed him to join his duty. The claims raised by the workman is put to rest on the findings of the Company that there was some mistake in date of birth recorded by the Company in the 'B' Form Register. The workman cannot be subjected to suffering for the fault committed in the Office of Management. I find that the error has been perceived in the year 1986 and representation was made for correcting date of birth of Bhajan Kumar Mukherjee. However, the Company did not consider the matter with seriousness and failed to arrive at any finding. Due to such inordinate delay the workman had to suffer unemployment for thirteen (13) months and he was deprived of his wages and other consequential reliefs during that period from 01.07.1997 to 28.07.1998. The Order of the Management Company bearing No. RB/Agent/Pers/0.0/98/787 dated 29.07.1998 issued by Dy. C.M.E./ Agent, Ratibati (R) Colliery of M/s. Eastern Coalfields Limited stating that "*The period of his idleness i.e. from the date of his superannuation 01.7.97 to 28.7.98 shall be treated as dies none*" is unjustified and contrary to the facts and circumstances of this case. Therefore, the Order to that extent is not tenable. There is no evidence on record to show that the workman was employed at any other place from 01.07.1997 to 28.07.1998 for gain. The Management Company is therefore liable to pay the back wages to Bhajan Kumar Mukherjee for the period from 01.07.1997 to 28.07.1998 and all consequential dues for that period.

8. The Reference case is accordingly decided in favour of Bhajan Kumar Mukherjee. The Management Company is directed to disburse his back wages for the period from 01.07.1997 to 28.07.1998 along with all related dues within a period of one (1) month from date of Notification of the Award, failing which Award shall be executable against the Company.

Hence,

ORDERED

That the Reference case is disposed of in favour of Bhajan Kumar Mukherjee. It is declared that the Management of Ratibati (R) Colliery of M/s. Eastern Coalfields Limited is not justified in treating the period of his absence from 01.07.1997 to 28.07.1998 (the period of his absence on account of wrongful superannuation) as dies non and non-payment of his back wages for said period. The Company is directed to disburse the back wages from 01.07.1997 to 28.07.1998 to Bhajan Kumar Mukherjee with all consequential reliefs within one (1) month from the date of Notification of the Award. In the event of failure, the Award may be executed against the Company. Let copies of the Award in duplicate be communicated to the Ministry of Labour and Employment, Government of India for information and instruction.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 80.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार सीआरटीजी/डीएमआरसी बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री राज कुमार, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 132/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/45/2021-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 80.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 132/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ;J. Kumar, CRTG/DMRC, Barakhamba Lane New Delhi, and Shri Raj Kumar,Through, The General Secretary, Karmasheel Mazdoor Sangarsh union, Mubarakpur, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/45/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No.132/2021

Sh. Raj Kumar , S/o Sh. Babu Ram,
Through , The General Secretary,
Karmsheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086.

....Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project , CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.

2. J. Kumar CRTG /DMRC,
Barakhamba Lane New Delhi-110001

...Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/45/2021- IR(DU) dated 30.07.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmsheel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Rajkumar , S/o Sh. Babu Ram) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 81.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार सीआरटीजी/डीएमआरसी बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री शिवशरण, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 134/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/44/2021-आई आर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 81.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 134/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ;J, Kumar ,CRTG/DMRC, Barakhamba Lane New Delhi, and Shri Shivsaran,Through , The General Secretary, Karmsheel Mazdoor Sangarsh union, Mubarakpur, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/44/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No.134/2021

Sh. Shivsaran, S/o Sh. Ramphal,
Through , The General Secretary,
Karmsheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086.

... Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project , CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.

2. J. Kumar CRTG /DMRC,
Barakhamba Lane New Delhi-110001.

...Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/44/2021- IR(DU) dated 02.08.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmsheel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Shivsaran, S/o Sh. Ramphal) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 82.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार, सीआरटीजी/डीएमआरसी, बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री ग्यानेश, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 141/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/46/2021- आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 82.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 141/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ; J. Kumar, CRTG/DMRC, Barakhamba Lane New Delhi, and Shri Gyanesh, Through, The General Secretary, Karmshel Mazdoor Sangarsh union, Mubarakpur, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/46/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No. 141/2021

Sh. Gyanesh, S/o Sh. Banbari Lal,
Through, The General Secretary,
Karmshel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086.

....Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project, CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.

2. J. Kumar CRTG /DMRC,

Barakhamba Lane New Delhi-110001.

.... Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/46/2021- IR(DU) dated 02.08.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmshel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Gyanesh, S/o Sh. Banbari Lal,) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 83.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार, सीआरटीजी/डीएमआरसी, बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री भंवर सिंह गौर, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं.135/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/47/2021-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 83.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 135/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ;J, Kumar ,CRTG/DMRC, Barakhamba Lane New Delhi, and Shri Bhanvar Singh Gour,Through , The General Secretary, Karmasheel Mazdoor Sangarsh union, Mubarakpur, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/47/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present : Smt. PRANITA MOHANTY

ID. No.135/2021

Sh. Bhanvar Singh Gour, S/o Shri Prahlad Singh Gour,
Through , The General Secretary,
Karmasheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086.

....Workman

Versus

1. Delhi Metro Rail Corporation Ltd.

DMRC Project, CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.

2. J. Kumar CRTG /DMRC,
Barakhamba Lane New Delhi-110001

... Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference no. L-42011/47/2021- IR(DU) dated 02.08.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmasheel Mazdoor Sangharsh Union, New Delhi vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Bhanvar Singh Gour, S/o Shri Prahlad Singh Gour) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 84.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एनसीसी, नागार्जुन कंस्ट्रक्शन कंपनी लिमिटेड, किदवाई नगर, नई दिल्ली, के प्रबंधन के संबंध में नियोजकों और श्रीमती शोभा, द्वारा महासचिव, समस्त औद्योगिक श्रमिक विकास संघ, स्वरूप नगर, दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली पंचाट (संदर्भ सं. 11/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-18-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 84.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to NCC, Nagarjun Construction Co. Ltd., Kidwai Nagar, New Delhi, and Smt. Shobha, Through, The General Secretary, Samast Odyogik Shramik Vikas Union, Swaroop Nagar, Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-18-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

LCA CASE NO. 11/2021**Date of Passing Award- 08.12.2022**

Between:

Smt. Shobha, W/o Late Shri Rajendra,
R/o- B-5069-113/14, Sant Nagar Buradi,
Kamal Pur, Mazra Buradi, Delhi-110084.

Through:- Shri Yashpal Singh Rawat,
General Secretary, Samast Odyogik Shramik Vikas Union,
D-198/1, Gali No. 01, Radha Kishan Mandir Marg,
Swaroop Nagar, Delhi-110042.

... Claimant

VERSUS

NCC,
Nagarjun Construction Co. Ltd.,
Structure Type-06, & 07 Quarter, Kidwai Nagar,
New Delhi-110023.

... Management

Appearances:-

Shri Rajender Singh

... For the claimant

(A/R)

Shri Sanjay Sharma

... For the Management.

(A/R)

AWARD

This is an application filed u/s 33C(2) of the Id act by the claimant who had pleaded that her husband late Rajender Singh was serving as a Field Assistant in the establishment of the management since 23.09.2005. The management had illegally terminated his service w.e.f 28.04.2016. Being aggrieved he had raised industrial dispute which was registered as Id Case No. 07/2017. This tribunal by order dated 26th March 2019 came to hold that the termination of the service of the claimant is illegal and thus, directed reinstatement to service alongwith 20% of the back wage within a period of 3 months from the date of the award. But unfortunately her husband died on 28.06.2020. Hence, she has filed the present LCA claiming Rs. 1,26,149/- as per the award passed in Id No. 07/2017. The management appeared and intimated that they are ready for the conciliation. Accordingly several rounds of conciliation were held and during the National Lok Adalat held on 12.11.2022 the management paid the claim amount of Rs. 126149/- alongwith 63554/- towards gratuity as full and final settlement of the claim. The claimant since accepted the same without objection this final order is being passed and the application is accordingly disposed of. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 16 जनवरी, 2023

का.आ. 85.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; जे कुमार सीआरटीजी/डीएमआरसी बाराखंबा लेन नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री हरेन्द्र सिंह, द्वारा महासचिव, कर्मशील मजदूर संघर्ष यूनियन, मुबारकपुर, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 145/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42011/67/2021-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 16th January, 2023

S.O. 85.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 145/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Delhi Metro Rail Corporation Ltd., New Delhi ;J, Kumar ,CRTG/DMRC, Barakhamba Lane New Delhi, and Shri Harender Singh,Through , The General Secretary, Karmsheel Mazdoor Sangarsh union, Mubarakpur, New Delhi, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42011/67/2021-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No.145/2021

Sh. Harender Singh S/o Sh. Rammurat,
Through , The General Secretary,
Karmsheel Mazdoor Sangarsh union,
A-31 Agar Enclave, Meetha Pani, Prem Nagar-III,
Near Hanuman Mandir, Somdarzar Road, Mubarakpur,
New Delhi-110086

....Workman

Versus

1. Delhi Metro Rail Corporation Ltd.
DMRC Project , CC-24 Sarai Kale Khan ISBT,
Near RTO Office, New Delhi-110013.

2. J. Kumar CRTG /DMRC,
Barakhamba Lane New Delhi-110001

....Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/67/2021- IR(DU) dated 02.08.2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether Karmsheel Mazdoor Sangharsh Union, New Delhi Vide letter dated 23.03.2021 demands withdrawal of workman (Sh. Harender Singh S/o Sh. Rammurat) against J. Kumar CRTG under the management of Delhi Metro Rail Corporation project and payment of notice wages to what extent it is reasonable and justified, if any, what relief should be given to the workman and from when.”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let

this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 86.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईआरएनईटी इंडिया, शास्त्री पार्क, दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री देवेंद्र सिंह व अन्य, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 40/2017) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-19-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 86.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 40/2017) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to ERNET India, Shastri Park, Delhi, and Shri Devender Singh and others, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-19-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. Pranita Mohanty, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 40/2017

Date of Passing Award- 08.12.2022

Between:

Sh. Devender Singh and others S/o Shri Nain Singh,
R/o- H.No.M-338, Sewa Nagar,
New Delhi.

Claimant

Versus

ERNET India,
Block-I, A Wing,
5th floor, NMRC IT Park,
Shashtri Park, Delhi-110053.

... Managements

Appearances:-

Claimant in person
(A/R)
Shri L R Goel
(A/R)

For the claimant

For the Management.

AWARD

This is a reference received from the appropriate government to adjudicate if the claimant Devender Singh and others as per the list Annexure-A of M/s ERNET India are entitled to the status of permanent workman in the company and entitled to pay at par with regular employees. If so on what terms and condition and date.

As stated in the claim petition all the claimants were appointed as messenger cum peon in the establishment of the management on their names being sponsored by the employment exchange. They were given appointment letter the claimants were demanding regularization of service and pay parity with the permanent employees and several representations were given. When they could not redress their grievance they raised a dispute before the Labour Commissioner and conciliation was taken up. For the failure of the conciliation the appropriate government referred the matter to this tribunal for adjudication.

The management filed written statement denying the stand taken by the claimants. It has been pleaded that there exists no industrial dispute and the claim is not maintainable.

On these rival pleadings the following issues are framed for adjudication.

ISSUES

1. Whether the proceeding is maintainable.
2. Whether the claimant is a workman u/s 2(s) of the Id Act and the claim advanced is an industrial dispute.
3. Whether the claimants are entitled to get permanent status.
4. To what relief the claimants are entitled to.

During the pendency and before recording of evidence both parties express their intention for conciliation. After several rounds of conciliation the claimants examined as WW1, WW2, and WW3 gave their statements stating that they have no grievance against the management and the claim has been settled. Thus, during the Lok Adalat held on 12th November 2022 the conciliation was recorded and this award is passed. Hence, ordered.

ORDER

The claim be and the same is disposed of as the claimants have no dispute against the management in respect of the claim. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 87.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वरुण गुप्ता मार्केटिंग मैनेजर, के.डी. कॉलोनी, नई दिल्ली; एंटाल्या एंटरप्राइजेज, द्वारा कर्नल शिराज वर्मा (मालिक), नोएडा (यू.पी.), के प्रबंधन के संबद्ध नियोजकों और कपिल कुमार, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 198/2022) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-20-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 87.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 198/2022) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Varun Gupta Marketing Manager, K.D. Colony, New Delhi ; Antalya Enterprises, Through-Col. Shiraj Verma (Proprietor), Noida (U.P.), and Shri Kapil Kumar, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-20-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 198/2022**Date of Passing Award- 01.12.2022**

Between:

Sh. Kapil Kumar, S/o Sh. Virendra Kumar,

R/o B-240/03, Krishna Kunj, Gali No-01,

North Ghonda, New Delhi-110053.

... Claimant

Versus**1. Sh. Varun Gupta Marketing Manager,**

IGL Bhawan, Plot No-704, Community Centre,

Sector -09, R.K. Puram, K.D. Colony, New Delhi-110022.

2. Antalya Enterprises,

Through- Col. Shiraj Verma (Proprietor),

House No.1128, Sector -37,

Noida U.P. -201301.

... Managements

Appearances:-

Shri Rahul Kumar

(A/R)

For the claimant

Shri Sarfaraz Ahmad

(A/R)

For the Management No. 1

Shri Shiraz Verma (Proprietor)

For the Management No. 2

AWARD

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 for 13 years as a Technician. His last drawn wage per month was Rs. 16286/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 30.11.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he raised a dispute before the labour commissioner. But the management did not respond to the same. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 and 2 appeared. Before filing of the written statement steps were taken for conciliation of the matter and the conciliation proceeding was held during the Lok Adalat held on 12.11.2022. For the terms of conciliation the claimant agreed to withdraw the claim having no grievance for the alleged illegal termination and gave a statement to that effect which has been recorded in a separate sheet attached to this record.

The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 88.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईडी (ऑपरेशन) डीएमआरसी, बाराखम्भा रोड, नई दिल्ली; ठेकेदार, मैसर्स एनसीईएस, संगम विहार, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री मो. दानिश और 2 अन्य, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 45/2019) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-21-आईआर(डीयू)]

डी. के. हिमांशु, अवसर सचिव

New Delhi, the 17th January, 2023

S.O. 88.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 45/2019) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The E.D (operation) DMRC, Barakhamba Road, New Delhi ;The Contractor, M/s NCES, Sangam Vihar, New Delhi, and Shri Mohd. Danish & 2 Others, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-21-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No. 45/2019

Mohd. Danish & 2 Others,
R/o House No. 877, Gali no. 30/5,
Zafraabad, Delhi-110053.

... Workman

Versus

1. The E.D (operation) DMRC,
Metro Bhawan, Barakhamba Road, New Delhi-110001.

2. The Contractor, M/s NCES, I -1704/21, Ground Floor,
Room No. 01-05, Sangam Vihar,
New Delhi-110062.

... Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. L-42011/209/2018- IR(DU) dated 31.01.2019 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the action of the management of Nuvisioin Commercial & Escort Services (NCES) (Contractor)/ Delhi Metro Rail Corporation (DMRC) (Principal Employer) in terminating the services of the workman Mohd. Danish, Firoz and Mohd. Javed w.e.f 08.02.2017, 14.03.2017, 15.03.2017 respectively who were working on the post of Tom Operator and posted at the Kashmiri Gate Metro Station is illegal and /or unjustified? If yes, what relief is he entitled to and what directions are necessary in this respect?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties

involved in the dispute. Despite directions so given, Claimants opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workmen as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimants union. Despite service of the notice, claimants union opted to abstain away from the proceedings. No claim statement was filed on their behalf. Thus, it is clear that the claimants are not interested in adjudication of the reference on merits.

4. Since the claimants neither put their appearance nor led any evidence so as to prove their cause against the managements, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 89.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महानिदेशक और मुख्य कार्यकारी अधिकारी, राष्ट्रीय ड्रॉपिंग रोधी एजेंसी, युवा मामले और खेल मंत्रालय, भारत सरकार, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों श्री विनोद सिंह, द्वारा- श्री प्रदीप कु. शुक्ला (ए / आर), लाजपत नगर-III, नई दिल्ली, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 214/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-22-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 89.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 214/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Director General & Chief Executive Officer, National Anti-Droping Agency, Ministry of Youth Affairs & Sports, Government of India, New Delhi, and Shri Vinod Singh, Through- Shri Pradeep Kr. Shukla (A/R), Lajpat Nagar-III, New Delhi, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-22-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. Pranita Mohanty, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 214/2021

Date of Passing Award- 07.12.2022

Between:

Sh. Vinod Singh, S/o Shri Jeet Singh,
R/o- 230/21G, Gali No. 07, Railway Colony,
Mandwali, New Delhi-110019.

Through- Shri Pradeep Kr. Shukla (A/R),
Office: 24, Basement, Feroze Gandhi Road,
Lajpat Nagar-III, New Delhi-110024.

...Claimant

Versus

The Director General & Chief Executive Officer,
National Anti-Doping Agency,
Ministry of Youth Affairs & Sports, Government of India,
Hall No. 103, 104, 1st Floor, Jawahar Lal Nehru Stadium,
Lodhi Road, New Delhi-110003.

....Managements

Appearances:-

Shri Pradeep Kumar

For the claimant

(A/R)

Shri Atul Bhardwaj

For the Management.

(A/R)

AWARD

This is an application filed by the claimant invoking the provisions of section 2A of the Id Act alleging therein that he was appointed in the Post of Hindi Typist on 18.03.2019 in the establishment of the management on a monthly salary of Rs. 30,000/-. This appointment was made after a typing test and oral interview of several applicants. He was verbally informed at the time of appointment that his appointment is for a temporary period of 3 years but he would be entitled to all the legal benefits at par with the regular employees except regularization of service. But the management took a back foot in providing the legal benefits and this prompted the claimant to raise the demand time and again. Though, the management as deducting certain amount from the wage of the claimant on the pretext of depositing in PF and ESI, no deposit slip was ever supplied. Being annoyed by the demands raised by the claimant, on 30.11.2019 his service was terminated without assigning any reason which is much prior to the expiry of the contract period. At the time of termination no notice, notice pay, or termination compensation was paid. Thus, he raised a dispute before the labour commissioner where the conciliation took place but failed. On failure of conciliation the present claim was filed.

Being noticed the management appeared and filed written statement denying the stand of the claimant and also denied the employer and employee relationship. The stand of the management is that he was engaged by M/s Grab Detective Security Service for Human Resources outsourcing service and the service was terminated by the said contractor.

Before commencement of the hearing steps were taken for conciliation of the dispute. After several rounds of conciliation the parties agreed to settle the dispute and accordingly the claimant gave a statement that he has no due pending against the management and thus, he wants to withdraw the claim petition. In view of the same during the Lok Adalat held on 12.11.2022 the claimant gave a statement to the effect that he wants to withdraw the dispute on full satisfaction. In view of the statement given by the claimant this no dispute award is passed. Hence, ordered.

ORDER

The application be and the same is disposed of as the claimant has no dispute or grievance against the management with regard to the alleged illegal termination of his service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 90.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक, भारत इलेक्ट्रॉनिक्स लिमिटेड, कोटद्वार, उत्तराखंड, के प्रबंधन के संबंध में नियोजकों और श्री धीरेन्द्र प्रकाश कोटनाला, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम

न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 03/2013) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-40011/22/2012-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 90.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 03/2013) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager, Bharat Electronics Limited, Kotdwar, Uttarakhand, and Shri Dhirender Prakash Kotnala, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-40011/22/2012 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 03/2013

Date of Passing Award- 01.11.2022

Between:

Shri Dhirender Prakash Kotnala,
Asst, Engineer,
C/P Bharat Electronics Ltd.
Kotdwar, Uttarakhand.

Versus

... Workman

The General Manager,
Bharat Electronics Limited,
Kotdwar, Uttarakhand.

....Management

Appearances:-

Claimant in person

..... For the claimant

(A/R)

Shri K K Tyagi

.....For the Management

(A/R)

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. the management of Bharat Electronics Limited, and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-40011/22/2012 (IR(DU)) dated 21/01/2013 to this tribunal for adjudication to the following effect.

“Whether the action of the Management BEL, Kotdwar of not inducting Shri Dhirender Prakash Kotnala in wage group –VIII w. e. f. 01.06.1988 and thereby depriving him from consequential benefits is justified? If not, what relief the work man is entitled to”?

As stated in the claim petition, the claimant is working as an Asst engineer in the management and posted at Kotdwar in the district of Pithoragarh in Uttarakhand. His initial appointment was as a Diploma Engineer w.

e. f. 01.06.1987. on the same day another group of Diploma Engineers were appointed in Ghaziabad unit of BEL. The persons appointed in Ghaziabad as well as the claimant on successful completion of one year probation were given appointment as Technical Assistant-II in the wage group of VII i.e.01.6.1988. After some years the claimant and his counterparts in Ghaziabad came to know that they have been denied the appropriate wage Band VIII, which is applicable to them according to the carrier plan applicable to the employees of BEL. Thus the claimant and his counter parts in Ghaziabad made representations to their respective administrative authorities, requesting to allow them pay scale of wage group VIII instead of Wage group VII, w.e. f.01.06.1988. Whereas the representation made by the Technical Asst –II working in Ghaziabad was allowed by the administrative head there, by an order dated 27.09.2002, but the representation of the claimant was not considered. Not only that the Technical Assistant –II in Ghaziabad were given three promotions and up graded to the wage group-X .but the claimant and similarly placed employees in Kotdwar were not granted the said benefits. For the first time the carrier plan for the employees of BEL at was Kotdwar was made applicable with effect from 01.07.1992 and in the said plan it was clearly mentioned that in respect of persons appointed prior to 01.07.1992, the carrier plan applicable to the employees of Ghaziabad would be applicable. But for the denial of the management to extend the said benefit the claimant had suffered huge financial loss and carrier prospect. He was raising his demand on repeated occasions, but the management never considered the same. Finding no other way he raised an Industrial dispute before the labour commissioner, where attempt for conciliation was made. The said effort since failed, the appropriate Govt. referred the matter for adjudication.

The management being noticed appeared and filed written statement refuting the claim of the claimant. It took a stand that the claim is not maintainable for want of espousal. The maintainability has been challenged on that the claim has been raised after a considerable delay and thus hit by the unreasonable delay. On the facts, the management has stated that the BEL has nine units across India and each unit is run by the local management. The said local management notifies the vacancies for engagement of trainees, which is purely on the basis of the man power requirement of that unit. The unit of BEL in Kotdwara was inaugurated in the year 1987 and in the same year, requisition was sent to the local employment exchange for sponsoring the names of eligible candidates for engagement as trainees in different Trades. In the offer letter given to the selected candidates it was clearly mentioned that on successful completion of one year Training and on passing the final gradation test, the successful Trainee shall, subject to availability of vacancy shall be appointed as Technical Assistant II in the wage Group VII and in the pay scale of 715-24-955-26-1215. The claimant is one of such Trainees in civil, who was offered the position of Technical Assistant-II with the aforementioned pay scale. Thus, he, on two separate occasions had accepted the pay scale in the wage group VII and joined in the service of the management. The claim raised by the claimant after 24 years of service is barred by limitation. More over the nature of the claim is of general demand and in absence of espousal, the same cannot be treated as an Industrial Dispute. Hence the claim is liable to be dismissed.

The claimant filed rejoinder reiterating the claim as stated in the claim petition demanding equal pay for equal nature of work.

On these rival pleadings the following issues were framed for adjudication.

ISSUES

- 1- Whether the claimant is a workman in terms of the definition given u/s 2(s) of The I D Act.
- 2- Whether the dispute is not an Industrial Dispute for want of Espousal.
- 3- Whether the Dispute is barred by Limitation
- 4- As in terms of Reference.

After framing of the issues the claimant was called upon to adduce evidence and prove the stand taken in the claim petition. Despite several opportunities granted the claimant did not adduce evidence. Though the affidavit to be read as evidence was filed the claimant did not tender the same and the right to adduce evidence was closed. Similarly the Management opted not to adduce any evidence. Hence in absence of evidence adduced by the claimant the reference is decided against the claimant. Hence, ordered.

ORDER

The Reference is answered against the claimant and the no dispute award is passed. It is held that the claimant is not entitled to the relief sought for. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHNATY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 91.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अध्यक्ष, आर्मी पब्लिक स्कूल, क्लेमेंट टाउन, देहरादून ; संरक्षक, आर्मी पब्लिक स्कूल, क्लेमेंट टाउन, देहरादून, के प्रबंधन के संबद्ध नियोजकों और श्री महेंद्र पाल सिंह खुराना, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 27/2017) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-14012/10/2017-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 91.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 27/2017) of the Central Government Industrial Tribunal cum Labour Court -II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chairman, Army Public School, Clement Town, Dehradun ; The Patron, Army Public School, Clement Town, Dehradun, and Shri Mahender Pal Singh Khurana, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-14012/10/2017 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY, Presiding Officer,
C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE No. 27/2017

Date of Passing Award- 02.11.2022

Between:

Shri Mahender Pal Singh Khurana,
48, LIC, Phase-II, Indrapuram Colony,
GMS Road,
Dehradun

Versus

....Workman

1. The Chairman,
Army Public School, Clement Town,
Dehradun.

2. The Patron,
Army Public School, Clement Town,
Dehradun

.... Management

Appearances:-

Shri Saurabh Rastogi

... For the claimant

(A/R)

Shri Paras Sachdeva

... For the Management

(A/R)

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. the management of Army Public School Clement Town, and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-14012/10/2017 (IR(DU)) dated 24/07/2017 to this tribunal for adjudication to the following effect.

“Whether the action of the chairman, Army Public School, Clement Town, Dehradun, Uttarakhand through letter No.1001/APS, dated 29/05/2015 in terminating the services of Shri Mahendra Pal Singh Khurrana worked as Accountant in the school is legal, fair and justified. If not then what remedies lie with the workman Shri Mahendra Pal Singh Khurana and what relief he is entitled to?”

As stated in the claim petition, the claimant, was initially appointed in the Army Public School, Clement Town Derhadun, in the year 2007 as a Lower Division Clerk on a fixed term contract for three years and by appointment letter dated 26.06.2007, he was asked to join his duty w. e. f. 03.07.2007 and accordingly he joined. On 18.05.2008, he was appointed as the accountant and letter of appointment was issued. Accordingly he joined as the accountant 18.05.2008 and his appointment was on fixed term basis for a period of three years and the pay scale given to him was 4500-125-7000 with admissible DA, HRA and other allowances. For his satisfactory performance, the said employment was again extended for a period of three years i.e. upto May 2014 on an increased consolidated salary of Rs10500/- per month. On completion of that term and at the end of this three year period i.e. on 24th May 2014, his service by appointment letter dated 24th May 2014, was again extended for a further period of three years as per the Army Welfare Education Society (AWES) Rules, on consolidated salary of Rs 15,300/- per month. That fixed term appointment for three years was to be over on 29th May 2017. But suddenly, on 29.05.2015, the principal of the school called him and handed over the letter of termination to his utter surprise. No reason was assigned for the harsh action taken in violation of the terms of his appointment. This action against him was taken to adjust their own men and the termination amounts to retrenchment. At the time of such retrenchment, no notice or notice pay was given to him. There was no disciplinary or administrative action was pending against him at the time of termination. After that termination the claimant visited the office of the respondent several times with a request for his reinstatement. But the grievance of the claimant was not considered. Having no other efficacious remedy, he approached the labour commissioner Derhadun. Though the respondent's AR appeared and participated in the conciliation proceeding, nothing fruitful could be achieved and the appropriate Govt. referred the matter for adjudication on the legality of the Termination.

Notice was served on the Management who appeared through its counsel and filed written statement denying and disputing the stand of the claimant. The admitted facts as per the written statement are that the claimant was initially appointed as a lower division clerk in the Army Public School, Clement Town, Derhadun and subsequently appointed as the Accountant (term based) purely on contractual basis. The said appointment was renewed from time to time and the last appointment was vide appointment letter dated 29.05.2014. In the agreement for appointment it was clearly mentioned that the Management reserves the right of terminating the service by giving one month notice or one month pay in lieu of the notice. Similarly there was a clause that the employee can resign from the service by giving one month notice or one month salary in lieu of the notice. At the time of appointment the employee claimant had also furnished a certificate stating that he has read and understood the revised Rule of Army Public School, where in it has been clearly stated that the employer can terminate the service of the employee any time by giving one month notice or one month pay in lieu of the notice. The renewal of the service of the claimant was subject to satisfactory performance. But prior to the renewal and at the time of renewal, the claimant was found not performing to the expected standard. Thus once on 22.07.2013 and again on 05.11.2014, he was issued performance counseling letters. Even after that the claimant did not improve his performance and the management being left with no other alternative, terminated his service with effect from 29.05.2015. At the time of such termination, one month pay in lieu of notice along with all other legal entitlements were paid to the claimant and the same was received without protest. The post which fell vacant for the termination of the claimant's service was filled up by appointment of a new candidate as the same was necessary to meet the day to day work of the school. The claimant raised a false and frivolous claim before the labour commissioner and the Respondent placed all the materials supporting its stand before the commissioner. Even then the matter was referred to this Tribunal. The Respondent has pleaded that the claim based on mis led facts is liable to be dismissed.

On the basis of the pleadings the following issues were framed by order dated 19.11.2018.

ISSUES

- 1- Whether the action taken by the Respondent in Terminating the service of the claimant /applicant is illegal, improper and contrary to the provisions of law.

- 2- whether the claimant is entitled to the relief of reinstatement with back wages
- 3- To what other relief the parties are entitled to.

The claimant examined himself as WW1 and produced several documents which were marked in a series of WW1/1 to WW1/6. These documents include all the appointment letters of the claimant starting from his initial appointment in 2007, appointment in the post of accountant in the year 2008, the letter of termination of service, a certificate of Merit issued in the year 2008 for the outstanding and meritorious service rendered and another letter of recommendation. At the time of cross examination he was confronted with two of his signatures given before the labour commissioner acknowledging receipt of Rs 32800/- from the principal of the Army Public School Derhadun.

On the other hand the Respondent examined the Head Clerk of the School as MW 1, who proved the document marked as MW1, which is the appointment letter of the claimant and contains a clause to the effect that the Respondent reserves the right of terminating the service of the employee after giving one month notice or one month pay in lieu of the notice. The witness also stated that respondent relies upon the documents marked as WW1/M1 and WW1/M2, acknowledging receipt of the notice pay. Both the witnesses were cross examined at length by their adversaries.

During course of argument the learned AR for the management submitted that the claimant was only a fixed term contractual employee whose satisfactory performance was sine qua non for extension of the contractual employment. The appointment was made and the appointment letter was issued in consonance with the AWES Rules and Regulation issued in Sept 2011. The appointment letter was containing a clause in the line of that Regulation according to which the employer reserves the right of Terminating the service of the employee and the claimant a term based contractual employee, while accepting the offer of appointment, had given a certificate that he read and understood the said clause properly. All these facts are admitted by the claimant during cross examination and also proved from the documents filed. The performance of the claimant was not satisfactory which is evident from the fact that on two separate occasions performance counseling notices were issued to him. Photocopy of those notices was placed on record being marked as C and D. He thus argued that no illegality was committed in terminating the service of the claimant who was an under performer for years and all legal and financial dues have been received by him. Hence the claim petition is liable to be dismissed.

The counter argument advanced by the claimant s that no departmental inquiry was ever initiated against him nor he was called upon to reply to the performance counseling reports. Not only that, the notice pay as claimed by the Respondent was paid after he raised a dispute before the labour commissioner. He received the same under protest. One month pay was given by the respondent during the pendency of the dispute along with his PF deposits. That was his salary for the duty done in the month of June 2015 and not the notice pay as claimed by the respondent. The said fact is evident from the contents of the documents filed by the respondent and marked as WW1/M1 and WW1/M2. It was also argued that the respondent without any valid reason and without following the Regulation of AWES, terminated his service which amounts to unfair labour practice and he is entitled to the relief sought for.

FINDINGS

ISSUE No. 1

The admitted fact is that the claimant was appointed as a LDC from 3rd July 2007 to 11th May 2008. Thereafter he was appointed as the accountant on 19th May 2008 for three years and on completion of that tenure he was appointed again on 26th May 2011 for another period of three years which ended on 25th May 2014. On completion of that tenure, he was re appointed as the accountant for another term of three years commencing from 2nd June 2015. The appointment letter filed by the claimant and marked as WW1/4 clearly shows that the appointment was contractual in nature and for a fixed term of three years. But on 29th May 2015, his service was suddenly terminated which is evident from the letter of termination filed by the Respondent and marked as E for identification. This fact is not disputed by the parties. But the explanation offered by the respondent is that the claimant was an under performer and a continuance of the contractual appointment was purely performance based. Hence by following the due procedure of law and abiding by the termination clause mentioned in the appointment letter the order of Termination was passed. The claimant having knowledge of the said Termination clause is precluded from challenging the same. To prove the under performance of the claimant, the Respondent has placed on record two attested photocopies of the performance counseling letters issued to the claimant on 22nd July 2013 and 05th Nov 2015. Those documents were marked as C and D respectively for identification. The claimant, during cross examination admitted to have received the same. On perusal of the contents of the said documents, those appear to be warnings given to the claimant for improving his performance failing which disciplinary action may be taken against him. Admittedly no disciplinary action was taken against the claimant at any point of time before his termination. More surprisingly, though the first the first performance counseling letter was served on the claimant on 22nd July 2013, he was reappointed on 2nd

June 2014. If at all he was found to be an under performer, the respondent had the opportunity of weeding out him at that stage. Instead, he was reappointed, which leads to a conclusion that at the time of reappointment the respondent had no grievance with regard to the performance of the claimant. Similarly after issue of the 2nd performance counseling letter dated 5th Nov 2015 and termination dated 29th May 2015, no departmental inquiry was held nor any show cause notice or explanation for the underperformance was called for. This leads to a conclusion that the performance counseling letters were issued to the claimant a contractual employee as a matter of routine.

The management has pleaded and adduced documentary evidence to prove that in the letter of appointment there was a clause that the management reserves the right of terminating the service of the employee at any time by giving one month notice or one month pay in lieu of the notice. The claimant has admitted during cross examination that he had knowledge about the same. As discussed in the preceding paragraph, the respondent had not given any termination notice to the claimant. Though it has been stated that one month pay was paid in lieu of the notice no evidence to that effect is available on record. Though it has been argued that the notice pay was paid before the labour commissioner, no proof to that effect has been placed on record. The document filed by the respondent as Annexure H along with the WS appears to be the calculation with regard to the final settlement of his dues during termination. This document bears the date 26th Aug 2015. But in this document there is no indication that one month pay as against the notice was paid. It shows payment of duty pay for the month of June 2015 as the claimant's service was terminated on 29th June 2015. The claimant had accepted the same on 14.09.2015. Though the document marked as WW1/M2, confronted and admitted by the claimant during cross examination contains the observation of the Labour commissioner that the management pleads about payment of notice pay, there is no observation in the said proceeding that the claimant admitted receipt of the same. In absence of any document of receipt of the said amount, the stand of the claimant with regard to nonpayment of termination compensation appears convincing.

The other argument of the respondent emphasizes the termination clause in the appointment letter. But that clause does not confer an unfettered right on the employer for exercise of the discretion. Right of discretion is always associated with the duty of reasoning and diligence. In the case of **VedPrakash vs. Apparel Training and Design, decided on 10th Feb 2021**, the **Hon'ble High Court of Delhi** have held that the management is permitted to pick and choose to terminate the service of an employee on the pretext of Termination clause. It is to be exercised cautiously, following the principle laid down under law and extra precaution is to be observed when the post is not abolished. In the WS, management has admitted about the continuance of the post in which the claimant was working and that a new person has been appointed in the place of the claimant to meet the work. Thus on consideration of the evidence adduced by both the parties, it appears that the management/ respondent without any valid reason and in violation of the Regulation of AWS, Terminated the service of the claimant with effect from 29th May 2015, though the post against which he was working has not been abolished and while doing so the provisions of ID Act were not followed as no notice on notice pay for termination was paid. The amount equivalent on month salary paid is the duty pay paid to him. The plea taken by the Respondent with regard to the under performance of the claimant is not accepted considering the fact that the performance counseling letter communicated to the claimant was never followed by any departmental action. Rather, he was re appointed after issue of that letter. Had the claimant been an under performer, the Respondent would have certainly thought of not re appointing him at that point of time. The action of the Respondent amounts to unfair labour practice and this issue is decided in favour of the claimant and it is held that the termination of the service of the claimant is illegal.

ISSUE No. 2 & 3

In view of the finding reached while deciding issue no 1, it is held that the claimant is entitled to reinstatement for the illegal Termination of his service as the post in which he is working still exists. But the evidence adduced by the claimant reveals that he has attained the age of superannuation i.e .sixty years in the meantime. Hence his reinstatement with full back wages for the remaining period of the contractual employment would not be in the interest of justice. Hence it is felt proper to direct the management to compensate the claimant suitably for the unfair labour practice adopted by the management in terminating his service. These two issues are accordingly answered in favour of the claimant. Hence, ordered.

ORDER

The Reference be and the same is answered in favour of the claimant. It is held that the service of the claimant was illegally terminated by the Respondent/ Management w. e. f. 29th June 2015, though his contract of service was subsisting for 24 months more. Considering the said period, it is directed that the management shall compensate the claimant by paying Rs 4 Lakh which could have been earned by him as salary, Rs 17,300 as notice pay and Rs 1 lakh as litigation expenses with interest @ 3% per annum from the date of termination and till the actual payment is made. The Management is directed to pay the amount as stated above, to the claimant within one month from the date of publication of this award, failing which, the amount stated above

shall carry interest @ 7% per annum from the date of accrual and till the actual payment is made. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 92.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुख्य सुरक्षा अधिकारी, अखिल भारतीय आयुर्विज्ञान संस्थान (एम्स), नई दिल्ली; बॉम्बे इंटेलिजेंस सर्विसेज इंडिया लिमिटेड, नेहरू प्लेस, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री रमाकांत शुक्ला, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 194/2020) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-23-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 92.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 194/2020) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chief Security Officer, All India Institute of Medical Science (A.I.I.M.S), New Delhi ; Bombay Intelligence Services India Ltd., Nehru Place, New Delhi, and Shri Ramakant Shukla, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-23-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No. 194/2020

Shri Ramakant Shukla, S/o Shri Raju Press Wala,
TA -57, Uttam Nagar, New Delhi-110059

... Workman

Versus

1. The Chief Security Officer,
All India Institute of Medical Science (A.I.I.M.S)
Ansari Nagar, New Delhi-110029.

2. Bombay Intelligence Services India Ltd.,
B-295, C.R Park, Nehru Place, New Delhi-110019.

... Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide file No. ND. 96(16)2020-ID-FOC-DY-CLC dated 21.12.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the services of the workmen Sh. Ramakant Shukla has been terminated illegally and unjustifiably by the managements or he has abandoned the job and to what relief are the said workmen entitled and what direction are necessary in this regard ?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 93.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चीफ पोस्ट मास्टर जनरल (सीपीएमजी), दिल्ली सर्किल डाक विभाग, दिल्ली, झंडेवालान, नई दिल्ली; डाक विभाग, दिल्ली, एपीटीएमओ, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री अशोक कुमार वर्मा और श्री लव कुमार सिंह, द्वारा-औद्योगिक श्रमिक संघ, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं.130/2020) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-40011/11/2020-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 93.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 130/2020) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chief Post Master General (CPMG), Delhi Circle Department of Post, Delhi, Jhandewalan, New Delhi ; Department of post, Delhi, A.P.T.M.O, New Delhi, and Shri Ashok Kumar Verma & Sh. Lava Kumar Singh, Through, Industrial Worker Union, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-40011/11/2020-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No. 130/2020

Sh. Ashok Kumar Verma & Sh. Lava Kumar Singh,
Through, Industrial Worker Union Office,
RZ-16, C/7 Upper Floor, Gali No. 03 Main Sagarpur,
New Delhi-110046.

... Workman

Versus

1. The Chief Post Master General (CPMG).
Delhi Circle Department of Post, Delhi,
Meghdoot Bhawan, 3rd Floor, Link Road,
Jhandewalan, New Delhi-110055.

2. Department of post, Delhi,

A.P.T.M.O, AM. P.C Complex, New Delhi-110017

.... Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference no. L-40011/11/2020- IR(DU) dated 29.07.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the termination of the services of Shri Ashok Kumar Verma and Lava Kumar Singh by the management of the Department of Posts, Delhi as raised by them vide letter dated October, 2018 is proper, legal and justified? If not, to what reliefs are they entitled and what directions, if any, are necessary in this respect?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimants opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimants union. Despite service of the notice, claimants union opted to abstain away from the proceedings. No claim statement was filed on their behalf. Thus, it is clear that the claimants are not interested in adjudication of the reference on merits.

4. Since the claimants neither put their appearance nor led any evidence so as to prove their cause against the managements, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 94.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री रमन गोयल जेजीएम (ऑपरेशन), दिल्ली मेट्रो रेल कॉर्पोरेशन लिमिटेड, नई दिल्ली; श्री डिंपल, प्रोपराइटर, न्यूविज़न कमर्शियल एंड एस्कॉर्ट सर्विसेज (एनसीईएस), गुडगांव, (हरियाणा), के प्रबंधन के संबंध में नियोजकों और श्री मो. शकील, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 173/2020) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-25-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 94.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 173/2020) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Shri Raman Goel JGM (Operation), Delhi Metro Rail Corporation Ltd., New Delhi ; Shri Dimple, proprietor, Nuvision Commercial & Escort Services (NCES), Gurgaon, (Haryana), and Shri Mohd. Shakeel, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-25-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No. 173/2020

Sh. Mohd. Shakeel, s/o Shri Abdul Mazeed,
R/o D-66, Sarai Peeple Thala, Adarsh Nagar,
New Delhi-110033

....Workman

Versus

1. Shri Raman Goel JGM (Operation),
Delhi Metro Rail Corporation Ltd.
Fire Brigade Lane, Barakhamba Road,
New Delhi-110001.
2. Shri Dimple, proprietor,
Nuvision Commercial & Escort Services (NCES),
SCO-16, 17, 18 Shiv Narain Complex, Sikanderpur Ghosi,
(Adjacent to City Court) Tehsil and District Gurgaon,
Haryana-122002

....Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide file No. ND. 96(07)2020-ID-FOC-DY-CLC(C) New Delhi, dated 31.07.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the services of the workman Sh. Mohd. Shakeel S/o Sh. Abdul Mazeed, who was working as ‘Tom Operator’, with DMRC through M/s New Vision Commercial and Escort Service (NCES) was terminated in an illegal and unjustified manner “ If yes, then what relief the workman Mohd. Shakeel S/o Shri Sh. Abdul Mazeed is entitled to?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 95.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुख्य अभियंता, एमईएस, बरेली जोन, बरेली कैंट, उत्तर प्रदेश; कमांडर वर्क्स इंजीनियर, एमईएस, देहरादून; गैरीसन इंजीनियर, एमईएस, देहरादून कैंट, देहरादून, के प्रबंधन के संबंधित नियोजकों और श्री गोपी चंद, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली पंचाट(संदर्भ संख्या 108/2020) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-26-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 95.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 108/2020) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation The Chief Engineer, MES, Bareilly Zone, Bareilly Cantt, Uttar Pradesh ; The Commander Works Engineer, MES, Dehradun ; Garrison Engineer, MES, Dehradun Cantt, Dehradun, and Shri Gopi Chand, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-26-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No.108/2020

Shri Gopi Chand,
76, New Basti, Chander Road (Rajesh colony),
P.O Dalanwala, Dehradun, Uttarakhand-248001.

... Workman

Versus

1. The Chief Engineer, MES,
Bareilly Zone, Bareilly Cantt, Uttar Pradesh -243001.
2. The Commander Works Engineer, MES,
Mall Road Dehradun Cantt, Dehradun-248003.
3. Garrison Engineer, MES,
Dehradun Cantt, Dehradun-248003.

... Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference No. D-837/A/2020/08/IRDDN Dy. CLC (C) Dehradun, dated 04.03.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the action of terminating the services of Sh. Gopi Chand, who was engaged for performing the job of fitter from June, 1971, by the management of MES, Dehradun is legal, fair and justified?”

Whether the workman is entitled for regularization /reinstatement of their service in the said Estb.? If not, what relief/ remedies, the concerned workmen are entitled to ?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 17 जनवरी, 2023

का.आ. 96.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय सांख्यिकी संस्थान, कुतुब इन्स्टीट्यूशनल एरिया, नई दिल्ली; दीपक छिब्वर सुरक्षा एजेंसी, द्वारका, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री सुभाष यादव, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 175/2020) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16.12.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-24-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 17th January, 2023

S.O. 96.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 175/2020) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Indian Statistical Institute, Qutub Institutional Area, New Delhi ; Deepak Chibber Security Agency, Dwarka, New Delhi, and Shri Subhash Yadav, Worker, which was received along with soft copy of the award by the Central Government on 16.12.2022.

[No. L-42025/07/2023-24-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID. No.175/2020

Shri Subhash Yadav,
R/o Village-Nandgaon, District –Bhivani,
Haryana-127021

...Workman.

Versus

3. Indian Statistical Institute,
7, Shid Jeet Singh Marg, B-Block,
Qutub Institutional Area, New Delhi-110016.

4. Deepak Chibber Security Agency,
272, plot No. 11, Sector-7, Dwarka,
New Delhi-110075

...Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide file no. ND. 96(06)2020-ID-FOC-DY-CLC(C) New Delhi, dated 31.07.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the services of the workman Sh. Subhash Yadav, Ex-Havaldar, has been terminated illegally and /or unjustifiably by the managements (M/s Deepak Chibber Security Agency) and if yes to what relief is he entitled and what directions are necessary in this regard ?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

5. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

6. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 18 जनवरी, 2023

का.आ. 97.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार द्वारा परियोजना प्रबंधक, मैसर्स सेंट्रल स्लिवर प्लांट, खादी ग्राम एवं उद्योग आयोग, रायबरेली,; द्वारा प्रबंधक निदेशक, सेंट्रल स्लाइवर प्लांट, खादी ग्राम एवं उद्योग आयोग, रायबरेली; मैसर्स ब्लैक हाउंड सिक्योरिटी सर्विसेज (पी) लिमिटेड – झांसी; द्वारा प्रबंधक, मैसर्स मार्स नेटवर्क सिक्यूरिटी सर्विसेज, कानपुर, प्रबंधन के संबद्ध नियोजकों श्री आजाद कुमार, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के द्वारा पंचाट (संदर्भ सं. 42/2012) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16/01/2023 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-27- आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 18th January, 2023

S.O. 97.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 42/2012) of the Central Government Industrial Tribunal cum Labour Court— Lucknow, as shown in the Annexure, in the Industrial dispute between the employers in relation to M/s Central Sliver Plant, Khadi Village & Industries Commission, Raibareli, through -Project Manager ; Project Manager, Central Sliver Plant, Khadi Village & Industries Commission, Raibareli ; M/s Black Hound Security Servies (P) Ltd – Jhansi through - Managing Director ; M/s Mars Network Security Services , Kanpur through - Manager. and Azad Kumar ,Worker which was received along with soft copy of the award by the Central Government on 16/01/2023.

[No. L-42025/07/2023-27- IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNA –CUM- LABOUR COURT, LUCKNOW

Present: Justice ANIL KUMAR, Presiding Officer

I.D. No. 42/2012

Between

Azad Kumar S/o Sri Chhotey Lal
R/o Vilage-Devanand Peer, Deeh
PO-Ratapur Chauraha Distt. – Raibareli

AND

1. M/s Central Sliver Plant, Khadi Village & Industries Commission
Amawan Road, Raibareli, through its Project Manager

2. Project Manager, Central Sliver Plant, Khadi Village & Industries Commission, Amawan Road, Raibareli
1. M/s Black Hound Security Services (P) Ltd – 61, Sadar Bazar Jhansi through its Managing Director
2. M/s Mars Network Security Services head office at 435, Lakhnpur, Vikas Nagar, Distt – Kanpur through its Manager.

AWARD

The present industrial dispute has been filed by the workman, Upendra Nath Tiwari before this Tribunal for adjudication as per provisions section 2A of the Industrial Disputes Act, 1947 (14 of 1947).

Accordingly, an industrial dispute No. 42/2012 has been registered on 16.03.2012.

From the perusal of record, the position which emerge out is that after exchange of pleadings by an order dated 24.02.2016 the matter was fixed for filing of workman's evidence; however, when the workman did not file its oral evidence in spite of several opportunities, his opportunity to file evidence was closed vide order dated 27.10.2020 and management was afforded an opportunity to file its evidence on affidavit. The management also did not file any evidence.

From the perusal of sheets, it appears that neither workman nor his authorized representative has appeared to press the case on behalf of the claimant since 05.05.2021.

Accordingly, after hearing Sri Adarsh Jagdhari, learned authorized representative of the opposite parties and taking into consideration the facts the position which emerges out is that as no oral/documentary evidence has been filed on behalf of the claimant to support his claim, as such, the adjudication case is liable to be dismissed.

Taking into consideration the above said facts as well as the law laid by Hon'ble High Court in the case of V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194 as under:

"It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service it is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief."

In the case of M/s Uptron Powertronics Employees' Union, Ghaziabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164 Hon'ble Allahabad High Court has held as under:

"The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led."

Hon'ble Allahabad High Court in the case of District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary-cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519 has held as under:

"The submission is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed."

Thus, taking into consideration the facts on record that in the present case the workman has not filed any oral/documentary evidence in support of his claim, so the same is liable to be dismissed.

For the foregoing reasons, the case is dismissed and; and the workman is not entitled for any relief.

Award as above.

Justice ANIL KUMAR, Presiding Officer

नई दिल्ली, 18 जनवरी, 2023

का.आ. 98.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार प्रबंधन, गैरिसन इंजीनियर्स (ई/एम), लखनऊ; प्रबंधन, मेसर्स उन्नति इंजीनियर्स, लखनऊ, प्रबंधन के संबद्ध नियोजकों श्री विजय, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ द्वारा पंचाट (संदर्भ सं. 58/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16/01/2023 को प्राप्त हुआ था।

[सं. एल-14012/16/2017- आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 18th January, 2023

S.O. 98.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 58/2019) of the Central Government Industrial Tribunal-cum Labour Court—Lucknow, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Management, Garrison Engineers (E/M), Lucknow ;The management, M/s Unnati Engineers, Lucknow and Shri Vijay ,Worker which was received along with soft copy of the award by the Central Government on 16/01/2023.

[No. L-14012/16/2017- IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT LUCKNOW

Present: SOMA SHEKHAR JENA, Hjs (Retd.)

I. D. No. 58/2019

REF. NO. L-14012/16/2017-IR(DU) DATED: 29/10/2018

Between

Sh. Vijay S/o Sh Ram Prasad
Village – Udwalkheda, Post – Mohanlal Ganj
Lucknow – 226301

AND

1. The Management
Garrison Engineers (E/M)
Lal Bahadur Shastri Marg, Lucknow – 226002
2. The management
M/s Unnati Engineers
Usman Enclave, Sector-O, Aliganj, Lucknow – 226024

AWARD

1. By order No. L-14012/16/2017-IR(DU) dated: 29/10/2018 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute to this CGIT-cum-Labour Court, Lucknow for adjudication

2. The reference under adjudication is:

“WHETHER THE ACTION OF GARRISON ENGINEERS (PRINCIPAL EMPLOYER) & THEIR CONTRACTOR M/S UNNATI ENGINEERS IN TERMINATING THE SERVICES OF SH VIJAY, EMPLOYED AS HELPER STATED TO BE SINCE 2006 TILL 08.09.2015, IS FAIR, JUST & LEGAL? IF NOT, TO WHAT RELIEF IS THE WORKMAN ENTITLED TO & TO WHAT EXTENT?”

3. The order of reference was endorsed to Sh. Vijay S/o Sh Ram Prasad, Village – Udwatkheda, Post – Mohanlal Ganj, Lucknow with direction to the party raising the dispute to file the statement of claim along with relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.

4. The order of reference was registered in the Tribunal on 16.08.2019 and the office was directed to issue registered notice to the workman for filing the statement of claim with list of documents & list of witnesses on 24.10.2019. On the date fixed i.e. 24.10.2019 none turned up on behalf of the workman; however, the opposite party No. 01 put up its appearance. Next date 08.01.2020 was fixed for filing of statement of claim. The workman remained absent on 08.01.2020. Fresh notice was issued to the workman fixing 18.03.2020 to file statement of claim but workman remained absent on 18.03.2020 and on subsequent date i.e. 17.06.2020; and from the track record of the notice sent to the workman, it was evident that the notice issued to the workman had been delivered to him. Accordingly, the service of notice was presumed sufficient vide order dated 27.11.2020; however, in the interest of justice, another date was given for filing of statement of claim. The workman remained absent on 27.11.2020, 22.01.2021, 26.02.2021, 18.05.2021, 14.07.2021, 30.12.2021, 11.02.2022 and 18.02.2022. The workman neither turned up on any of the aforementioned dates nor moved any application or adjournment seeking time to file the statement of claim. More than two years' time has passed and the workman has failed to file his statement of claim, therefore, the case was reserved for award keeping in view the reluctance of the workman to prosecute the case.

5. In the above circumstances, it appears that the workman does not want to pursue his claim on the basis of which the present industrial dispute has been raised; therefore, the present reference order is decided as if there is no grievance left with the workman. Resultantly no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

6. Award as above.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 18 जनवरी, 2023

का. आ. 99.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक, हिंदुस्तान एयरोनॉटिक्स लिमिटेड, लखनऊ; मैसर्स शाह बधू, द्वारा श्री योगेंद्र प्रसाद शाह, स्वच्छता ठेकेदार, कानपुर; मैसर्स ग्रुप-4 फैसिलिटीज सर्विस, द्वारा श्री नवल कपूर, निदेशक कार्मिक, लखनऊ, प्रबंधन के संबद्ध नियोजकों श्री आजाद कुमार, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के द्वारा पंचाट (संदर्भ सं. 81/2011) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 16/01/2023 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-28- आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 18th January, 2023

S.O. 99.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 81/2011) of the Central Government Industrial Tribunal cum Labour Court— Lucknow, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager, Hindustan Aeronautics Limited, Lucknow ; M/s Shah Badhu, through Shri Yogendra Prasad Shah, Sanitation Contractor, Kanpur ; M/s Group— 4 Facilities Service, through Shri Nawal Kapoor, Director Personnel, Lucknow. and Azad Kumar, Worker which was received along with soft copy of the award by the Central Government on 16/01/2023.

[No. L-42025/07/2023-28- IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXRURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT, LUCKNOW

Present: Justice ANIL KUMAR, Presiding Officer

I.D. No. 81/2011

Between:

Jagannath, s/o Sri Munna
R/o Ismailganj, PO-Chinhhat
Faizabad Road, Lucknow.

AND

1. Hindustan Aeronautics Limited, Lucknow Division, Lucknow
Through its General Manager.
2. General Manager, Hindustan Aeronautics Limited, Lucknow Division, Lucknow.
3. M/s Shah Badhu, through Sri Yogendra Prasad Shah Sanitation Contractor,
504, Viman Nagar, G.T. Road, Harjendra Nagar, Kanpur.
4. M/s Group – 4 Facilities Service, through Sri Nawal Kapoor
Director Personnel, 1/97, Vidyut Khand, Gomti Nagar, Lucknow.

AWARD

The present industrial dispute has been filed by the workman, Upendra Nath Tiwari before this Tribunal for adjudication as per provisions section 2A of the Industrial Disputes Act, 1947 (14 of 1947).

Accordingly, an industrial dispute No. 81/2011 has been registered on 20.05.2011.

From the perusal of record, the position which emerge out is that after exchange of pleadings by an order dated 19.02.2020 the matter was fixed for filing of workman's evidence; however, when the workman did not file its oral evidence in spite of several opportunities, his opportunity to file evidence was closed vide order dated 03.02.2021 and management was afforded an opportunity to file its evidence on affidavit. The management also did not file any evidence.

From the perusal of sheets, it appears that neither workman nor his authorized representative has appeared to press the case on behalf of the claimant since 19.02.2020.

Accordingly, after hearing Sri Adarsh Jagdhari, learned authorized representative of the opposite parties and taking into consideration the facts the position which emerges out is that as no oral/documentary evidence has been filed on behalf of the claimant to support his claim, as such, the adjudication case is liable to be dismissed.

Taking into consideration the above said facts as well as the law laid by Hon'ble High Court in the case of *V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194* as under:

"It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service if is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief."

In the case of *M s Uptron Powertronics Employees' Union, Ghaziabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164* Hon'ble Allahabad High Court has held as under:

"The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led."

Hon'ble Allahabad High Court in the case of *District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary-cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519* has held as under:

"The submission is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first

which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed."

Thus, taking into consideration the facts on record that in the present case the workman has not filed any oral/documentary evidence in support of his claim, so the same is liable to be dismissed.

For the foregoing reasons, the case is dismissed and; and the workman is not entitled for any relief.

Award as above.

Justice ANIL KUMAR, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ सं. 35/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/23/2019-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 100.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/2019) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022.

[No. L-23012/23/2019— IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH.

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 35/2019

Registered on:-18.06.2019

Basakhu Ram S/o Shri Nand Lal,
Villager & PO Kannaid, Tehsil Sudner Nagar,
Distt Mandi (HP) – 175001

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160001.
2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175018.Respondents/Managements

AWARD

Passed On:- 16.11.2022

Central Government vide Notification No.L-23012/23/2019-IR(CM-II) dated 28.05.2019, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

“Whether the action of management of BBMB in not accepting the demand of Basakhu Ram S/o Shri Nand Lal for deeming/Considering him in continuous service upto age of superannuation and resultantly entitled for consequential benefits is legal, just and valid? If not, to what relief the workman concerned is entitled to and from which date?”

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

2. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

3. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a ‘No Claim Award’. Accordingly, ‘No Claim Award’ is passed in the instant reference ID No. 35/2019.

4. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का. आ. 101.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण -सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 53/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/41/2019-आई आर (सी. एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 101.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.53/2019) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022

[No. L-23012/41/2019- IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH.

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 53/2019

Registered on:-09.08.2019

Shri Passing Jalbo S/o Shri Tundol,
Village & Po Pandoh,
Tehsil Sadar & Distt. Mandi (HP) – 175001

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160001.
 2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175018
- Respondents/Managements

Award

Passed On:- 16.11.2022

Central Government vide Notification No.L-23012/41/2019-IR(CM-II) dated 24.07.2019, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

“Whether the action of management of BBMB in not accepting the demand of Shri Passing Jalbo S/o Shri Tundal for declaring his retrenchment/termination as illegal and considering him in continuous service upto age of superannuation resulting in entitlement of consequential benefits is legal, just and valid? If not, to what relief the workman concerned is entitled to and from which date?”

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a ‘No Claim Award’. Accordingly, ‘No Claim Award’ is passed in the instant reference ID No.53/2019.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 102.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ सं. 54/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/64/2019-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 102.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 54/2019) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022

[No. L-23012/64/2019– IR (CM-II)]

RAJENDER SINGH, Under Secy.

**ANNEXURE
IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH.**

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 54/2019

Registered on:-09.08.2019

Shri Barfu Ram S/o Shri Kirpu Ram C/o Shri Munish Kumar
S/o Shri Dharam Dass Vill-Bajoura, Po. Bhukkar,
Tehsil – Bhoranj Distt- Hamirpur (HP) – 176045

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160001.
2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175018Respondents/Managements

AWARD

Passed On:- 16.11.2022

Central Government vide Notification No.L-23012/64/2019-IR(CM-II) dated 25.07.2019, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

“Whether demand of Shri Barfu Ram S/o Shri Kirpu Ram of reinstatement in the management of BBMB is legal, just and valid. If yes, then, to what relief the concerned workman is entitled to and from which date?”

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the instant reference ID No.54/2019.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 103.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ सं. 55/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/65/2019-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 103.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 55/2019) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022.

[No. L-23012/65/2019-IR(CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH.

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 55/2019

Registered on:-09.08.2019

Shri Brest Singh Alias Brestu Ram S/o Twaroo Ram
C/o Shri Munish Kumar
S/o Shri Dharam Dass R/o Vill-Bajoura,
Po-Bhukkar Tehsil-Bhoranj
Distt-Hamirpur (HP)-176045

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160001.
 2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175018
- Respondents/Managements

AWARD

Passed On:- 16.11.2022

Central Government vide Notification No.L-23012/65/2019-IR(CM-II) dated 25.07.2019, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

“Whether demand of Shri Brest Singh Alias Brestu Ram S/o Shri Twraoo Ram of reinstatement in the management of BBMB is legal, just and valid. If yes, then, to what relief the concerned workman is entitled to and from which date?”

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a ‘No Claim Award’. Accordingly, ‘No Claim Award’ is passed in the instant reference ID No.55/2019.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 104.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ सं. 56/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/72/2019-आई आर (सी. एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 104.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 56/2019) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022.

[No. L-23012/72/2019- IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 56/2019

Registered on:-09.08.2019

Shri Sunder Ram S/o Shri Lokha Ram
C/o Shri Munish Kumar

S/o Shri Dharam Dass R/o Vill-Bajoura,
Po-Bhukkar Tehsil-Bhiranj Distt-Hamirpur (HP) – 176045

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160019.
2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175038.Respondents/Managements

AWARD

Passed On:- 16.11.2022

Central Government vide Notification No.L-23012/72/2019-IR(CM-II) dated 26.07.2019, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

“Whether demand of Shri Sunder Ram S/o Shri Lokha Ram for reinstatement in the management of BBMB is legal, just and valid. If yes, then, to what relief the concerned workman is entitled to and from which date?”

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a ‘No Claim Award’. Accordingly, ‘No Claim Award’ is passed in the instant reference ID No.56/2019.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 105.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 57/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/73/2019-आई आर (सी एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 105.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.57/2019) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022.

[No. L-23012/73/2019-IR(CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 57/2019

Registered on:-09.08.2019

Shri. Lal Chand S/o Shri Rohli C/o Shri Munish Kumar
S/o Shri Dharam Dass R/o Vill-Bajoura, Po-Bhukkar,
Tehsil-Bhiranj Distt. Hamirpur (HP)-176045

....Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160001.

2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175018

.....Respondents/Managements

AWARD

Passed On:- 16.11.2022

Central Government vide Notification No.L-23012/73/2019-IR(CM-II) dated 26.07.2019, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

“Whether demand of Shri Lal Chand S/o Rohli for reinstatement in the management of BBMB is legal, just and valid. If yes, then, to what relief the concerned workman is entitled to and from which date?”

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a ‘No Claim Award’. Accordingly, ‘No Claim Award’ is passed in the instant reference ID No.57/2019.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J.K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 106.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ सं. 120/2018) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/127/2018-आई आर (सी.एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 106.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.120/2018) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022

[No. L-23012/127/2018-IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 120/2018

Registered on:-21.01.2019

Sh. Bhura S/o Sh. Khajana, R/o Village Dabur,
PO Ranikotla, Tehsil Bilaspur (Sadar),
Distt. Bilaspur Himachal Pradesh – 174001

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160019.
2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175038.

.... Respondents/Managements

AWARD

Passed On:- 15.11.2022

Central Government vide Notification No.L-23012/127/2018-IR(CM-II) dated 19.11.2018, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

“Whether the action of the management of BBMB in not accepting the demand of Shri Bhura S/o Shri Khajana for deeming/considering him in continuous service upto age of superannuation and resultantly entitled for consequential benefits is legal, just and valid? If not, to what relief the workman concerned is entitled to and from which date?”

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of

this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957".

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the instant reference ID No.120/2018.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J.K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 107.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ सं. 122/2018) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/133/2018-आई आर (सी. एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 107.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.122/2018) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022.

[No. L-23012/133/2018– IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No. 122/2018

Registered on:-21.01.2019

Smt. Gangi Devi & Others Wd/o Late Hiroo Ram,
Village Jhanduta PO and Tehsil,
Ghumarwin Distt. Bilaspur,
Himachal Pradesh – 174001

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,
Madhya Marg, Sector 19-B, Chandigarh-160019.

2. The Chief Engineer, Bhakra Beas Management Board,
BSL Project, Sundernagar-175038.

... Respondents/Managements

AWARD

Passed On:- 15.11.2022

Central Government vide Notification No.L-23012/133/2018-IR(CM-II) dated 19.11.2018, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

Whether the action of the management of BBMB in not accepting the demands of Gangi Devi & Others, LH/LR of late Hiroo Ram, for declaring his retrenchment/termination as illegal and considering him in continuous service upto age of superannuation and resulting in entitlement of consequential benefits is legal, just and valid? If not, to what relief the legal heirs/legal representatives of late workman are entitled to and from which date?

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a ‘No Claim Award’. Accordingly, ‘No Claim Award’ is passed in the instant reference ID No.122/2018.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 19 जनवरी, 2023

का.आ. 108.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नंबर 1, चंडीगढ़ के पंचाट (संदर्भ सं. 124/2018) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.12.2022 को प्राप्त हुआ था।

[सं. एल-23012/137/2018-आई आर (सी एम -II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 19th January, 2023

S.O. 108.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.124/2018) of the Central Government Industrial Tribunal-cum-Labour Court NO 1, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of BBMB and their workmen, received by the Central Government on 08/12/2022.

[No. L-23012/137/2018– IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE
IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH

Present: Sh. J.K. TRIPATHI, Presiding Officer

ID No .124/2018

Registered on:-21.01.2019

Smt. Kubja Devi Wd/o Late Uttam Chand, Village Chhate,

PO Jugahan, Tehsil Sudernagar,

Distt. Mandi, Himachal Pradesh –174001

... Workman

Versus

1. The Chairman, Bhakra Beas Management Board,

Madhya Marg, Sector 19-B, Chandigarh-160019.

2. The Chief Engineer, Bhakra Beas Management Board,

BSL Project, Sundernagar-175038

....Respondents/Managements

AWARD

Passed On:- 15.11.2022

Central Government vide Notification No.L-23012/137/2018-IR(CM-II) dated 19.11.2018, under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal.

Whether the action of the management of BBMB in not accepting the demands of Smt. Kubja Devi & Others, LH/LR of late Uttam Chand, for declaring his retrenchment/termination as illegal and considering him in continuous service upto age of superannuation and resulting in entitlement of consequential benefits is legal, just and valid? If not, to what relief the legal heirs/legal representatives of late workman are entitled to and from which date?

1. The Ministry of Labour & Employment, Government of India while referring the above Industrial Dispute for adjudication also directed the following:-

“The parties raising the dispute shall file a statement of claim complete within relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such a statement to each of the opposite parties involved in this dispute under rule 10(B) of the Industrial dispute (Central), Rules, 1957”.

2. However, no claim statement was filed by the workman within the stipulated period. Despite the directions of the Central Government not complied by the workman opportunity was provided to the workman and, therefore, on receipt of the above reference notice was sent to the workman as well as to the respondents/managements for appearances for adjudication. The postal article sent to the workman, referred above, is deemed to have been served on the parties under dispute as the post sent has not been received back as undelivered.

3. Workman has been given sufficient opportunities to file claim statement but none turned up in spite of several opportunities afforded to file claim statement. This shows that the workman is not interested in adjudication of the matter on merit.

4. Since the workman has neither put his appearance nor he has filed statement of claim to prove his cause against the respondents/managements. As such this Tribunal is left with no alternative except to pass a 'No Claim Award'. Accordingly, 'No Claim Award' is passed in the instant reference ID No.124/2018.

5. Let copy of this award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

J. K. TRIPATHI, Presiding Officer